



To be submitted to the Council at its meeting on 28<sup>th</sup> September 2023

## **PLANNING COMMITTEE**

**12<sup>th</sup> July 2023 at 9.30 a.m.**

### **Present:**

Councillor Pettigrew (in the Chair)

Councillors Aisthorpe, Batson, Croft, Dawkins (substitute for Parkinson), Goodwin, Hasthorpe, Hudson, Holland, Lindley and Shutt.

### **Officers in attendance:**

- Adam Brockbank (Highway Development Control Officer)
- Jonathan Cadd (Senior Town Planner)
- Martin Dixon (Planning Manager)
- Lara Hattle (Senior Highway Development Control Officer)
- Sophie Pickerden (Committee Support Officer)
- Keith Thompson (Lead Solicitor)
- Vicky Thompson (Environmental Protection Officer)

### **Others in attendance:**

- Councillor Beasant (East Marsh Ward Councillor)
- Councillor Shepherd (Scartho Ward Councillor)
- Councillor Westcott (Park Ward Councillor)

There were 28 members of the public present and one member of the press.

## **P.10 APOLOGIES FOR ABSENCE**

Apologies were received for this meeting from Councillor Parkinson.

## **P.11 DECLARATIONS OF INTEREST**

Councillor Hasthorpe declared an other registerable interest in P.12 Item 3 as he was a trustee of Harbour Place.

Councillor Holland declared a non-registerable interest in P.12 Item 4 as he knew the applicants.

Councillor Aisthorpe declared a pecuniary interest in P.12 Item 5 as she lived a few doors away from the site.

Councillor Pettigrew declared a pecuniary interest in P.12 Item 7 as he was friends with the developer.

Councillor Aisthorpe stated that whilst she had been informed by Mr Thompson that she did not need to declare an interest, she did want to state that her daughter worked at Thorpe Park, which was the applicant for P.12 Item 1.

## **P.12 DEPOSITED PLANS AND APPLICATIONS**

### **Item 1 - DM/0104/23/FUL - Thorpe Park Holiday Camp, Anthony's Bank Road, Humberston**

Mr Dixon introduced the application and explained that it sought retrospective permission for the installation of two air handling units to the exterior of the Marina Show Bar, external ducting to roof, creation of a service yard, alterations to the existing cellar access and associated works. Mr Dixon stated that the application had been brought before the committee due to the number of objections received and an objection from Humberston Village Council. He said that one of the main objections had been regarding noise. Mr Dixon said that the works that had been undertaken was for the Marina Show Bar which was part of the holiday site Thorpe Park. He said that the Thorpe Park site was allocated as resort area in the local plan. Mr Dixon said that the application was acceptable in principle as the works had been for an existing entertainment venue. Mr Dixon said that the air handling units were encased and there was a 2.5 metre fence around them. He said that there were no design concerns about the works that had been undertaken and the works had tied into the complex well. He said that the air handling units and other works were well screened and well separated from the Humberston Fitties conservation site. Mr Dixon stated that the council's heritage officer had raised no objections to the application. Mr Dixon said that due to separation distances and the location, there would be no detriment to neighbouring amenities in terms of massing and overlooking. He said that the main concern raised in the objections had been regarding noise. Mr Dixon stated that as the application was a retrospective application, the council's environmental health officer had been able to undertake site visits and assess the noise volumes. He said that the officer had been happy with the volumes. Mr Dixon said that the application was supported by a Noise Impact Report which had determined that the air handling units did not and would not in the future have an adverse impact on the amenity of the tenants of the Humberston Fitties. Mr Dixon stated that the application was in accordance with policies 5, 22, 39 and 41 of the North East Lincolnshire Local Plan and was recommended for approval with conditions.

Ms Thompson said as the air handling units were already in place, she had been able to assess the volume of noise they made. She said that she had visited the site with planning officers during the day and the air handling units were not audible at the nearest noise sensitive property when observed over background noise. Ms Thompson said that she had taken a reading from the air handling units to verify the accuracy of the acoustic reports. She agreed with the assessment that the air handling units would have a negligible impact. Ms Thompson said that she made a further visit during evening hours and had found there to be no difference.

Mr Cox spoke as the agent for the application. He said that the air handling units were for the Marina Show Bar and their function was to provide cool air. Mr Cox said that it had been important to consider the visual impact of the scheme and the impact the scheme would have on noise. He said that the air handling units were located at the back and had been fitted with silencers. Mr Cox said that as the air handling units had already been installed, officers had been able to assess the noise impact. He stated that he had met with residents of the Humberston Fitties prior to the meeting in order to demonstrate the noise the air handling units were making. Mr Cox stated that there had been no objections raised from any technical consultees. He said that he welcomed the planning officer's recommendation.

Councillor Dawkins said that he had visited the site on two separate occasions, once in the daytime and once at night. He said that he was pleasantly surprised to hear how quiet the air handling units were. Councillor Dawkins stated that he had no problems with the application. He proposed that the application be approved.

Councillor Hudson said that he had also visited the site. He said that where there was genuine concern from the Humberston Fitties residents he would support them but said that there were no issues with the application. He seconded the proposal to approve the application.

Councillor Lindley said that he was pleased to hear that there had been positive dialogue between the two parties and that amendments had been agreed. He stated that officers had confirmed that the noise levels were acceptable. Councillor Lindley said that he would be supporting the application.

Councillor Shutt queried whether it was possible for a site visit to be arranged.

The Chair stated that it was up to Councillor Shutt to propose a site visit and if the motion was seconded, a vote would take place.

Councillor Shutt said that he was new to the Planning Committee and had therefore not been present at all meetings pertaining to the project at Thorpe Park. He said that he would like to see site visits take place at

the beginning of projects. Councillor Shutt stated that he would support the application.

Councillor Holland said that the two sites concerned were very different. He said that he was concerned about the accumulative impact of noise and said that the aim should be for noise to be contained within Thorpe Park's boundaries. Councillor Holland said that he would like to see a full independent noise assessment be undertaken on the accumulative noise at Thorpe Park if more applications were going to be brought before the Planning Committee.

Councillor Aisthorpe said that she was happy to support the application. She said that she thought as much as possible had been done to mitigate the noise. Councillor Aisthorpe said that the air handling units appeared to be closer to Thorpe Park's caravans than to the Humberston Fitties, and so surely the noise would affect people staying at Thorpe Park more.

RESOLVED – That the application be approved with conditions.

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

## **Item 2 – DM/0274/23/FUL - 124 Humberston Fitties, Humberston**

Mr Dixon introduced the application and explained that it sought retrospective permission for the demolition of an existing chalet, erection of a new detached single-storey chalet, erection of an outbuilding and associated works. Mr Dixon stated that the application had been brought before the committee due to the number of objections received and an objection from Humberston Village Council. Mr Dixon said that the chalet that was on the site had been demolished prior to receiving permission. He said that this was unfortunate but said that the applicant had said there were structural issues with the chalet, and the applicant had submitted a Structural Report. Mr Dixon said that concerns had been raised within the objections about the principle of replacing a chalet on the Humberston Fitties. Mr Dixon stated that replacement chalets had previously been permitted on the Humberston Fitties and he said that the planning process did allow for retrospective permission to be sought. Mr Dixon stated that the Humberston Fitties was a conservation area and, due to the demolition, there had been a loss of heritage. Mr Dixon said that in terms of the principle of the development it was important to acknowledge that the design and appearance of the proposed chalet would follow the agreed refurbishment design granted under the earlier permission DM/0436/22/FUL and would be similar to the chalet that was previously on the site, although there would be a slight increase in height and the addition of an outbuilding. Mr Dixon said that the application was acceptable in principle. He said that the design of the proposed chalet was also in line with the Humberston Fitties design guide. Mr Dixon stated that

the council's heritage officer was not happy that the previous chalet had been demolished but had said that the proposed replacement chalet was the best option for the site moving forward. Mr Dixon said that the application was acceptable in terms of design and heritage. He said that due to the proposed position of the chalet and the separation distance between the chalet and neighbouring chalets, there would be no issues with overlooking or massing. Mr Dixon said that concerns had been raised regarding asbestos on the site. He said that it had been confirmed to have been removed by a licenced contractor. Mr Dixon stated that flooding was always a concern regarding chalets on the Humberston Fitties. Mr Dixon said that the application was acceptable in terms of the sequential test and the first section of the exceptions test. He said that the second section of the exceptions test was to consider the actual flood risk and whether the development could be made safe. Mr Dixon said that the Environment Agency had proposed conditions including raising the floor levels, but they had also recommended to impose an occupancy condition which had subsequently been included as part of the application. Mr Dixon said that the conditions satisfied the second section of the exceptions test. He said that the council's drainage officer had also not objected to the application. Mr Dixon stated that the application was in accordance with policies 5, 22, 33 and 39 of the North East Lincolnshire Local Plan and sections 12, 14 and 16 of the National Planning Policy Framework and was therefore recommended for approval with conditions for a limited period.

Ms Palmer spoke in objection to the application. She said she was aware that the Planning Committee had to determine the merits of an application, but she said what had happened with the application had been egregious. Ms Palmer said that if the Planning Committee simply allowed demolitions and rubber-stamped replacements, we would end up with nothing original. She said that it could not be said that the complete demolition of the chalet helped the conservation area. Ms Palmer said that we all had a responsibility to our heritage. She said that whilst the proposals did show a fair nod to the previous chalet, it would still be a second-best option. She said that in some cases the demolition of a heritage building would be a criminal offence. Ms Palmer stated that complaints had been sent to the Enforcement Team. She had contacted Tingdene, the parish council and ward councillors asking about the asbestos on the site. Ms Palmer stated that asbestos was not a reason to demolish a chalet and would be better left than interfered with. She said that due to the high winds one day, hazardous waste which had been left on the site following the demolition had been exposed. Ms Palmer said that if there were genuine structural reasons to demolish the chalet, then why were these reasons not outlined in the original planning application. Ms Palmer stated that if the application was to be approved, it could potentially give a green light for anyone to demolish heritage assets. She said that the planning authority had a responsibility to protect the Humberston Fitties.

Miss Pickerden read out a statement on behalf of the agent for the application.

The statement from Mr Scoffin read that the property had already received planning approval for an extension and internal remodelling which resulted in the vast majority of internal walls being removed. Mr Scoffin wrote that the main structure of the chalet was in very poor condition, as was evidenced by the accompanying structural report by Alan Woods and Partners. The chalet had also contained numerous areas of asbestos which had been professionally identified and removed from the site. The subsequent asbestos report and certificates for disposal had been provided as part of the application details and approved by the local authority. The proposal was for the reinstatement of an existing chalet bungalow on the Humberston Fitties which had inadvertently been demolished by a rather over enthusiastic builder who believed he was helping the client out given the poor state of the chalet. Mr Scoffin wrote that the vast majority of post war chalets had been built using whatever materials were readily available at the time and were not designed with longevity in mind. He wrote that many were either disused, abandoned or demolished in the 1970s and 1980s before a concerted effort was made to conserve what was a fairly unique development which had the benefit of being in a conservation area. Mr Scoffin wrote that it was his client's intention to do just that, retain the vast majority of the external structure whilst updating the internal layout and adding a modest extension to the back of the property, as per the planning approval. Once the work had started, the condition of the chalet became obvious but unfortunately the building was completely demolished without consent. Mr Scoffin wrote that a number of chalets had been replaced in recent years following their disuse and poor condition. The local authority had been keen to allow this type of development if the scheme followed the design guide principles with regard to overall style and choices of materials. Mr Scoffin wrote that he was replicating the original. Following the enforcement action taken by the local authority he had worked very closely with the Planning Department and the Conservation Officer. He wrote that although the total loss of the chalet was unfortunate, it was his client's intention to reinstate the chalet using traditional materials replicating the original design, which was well documented as a reference. The proposal would reflect the former approved scheme, with the only modification being the raising of the finished floor level to accommodate the Environment Agency requirement for flood risk mitigation. As a consequence of the demolition and reinstatement, it was understood that the chalet would not enjoy the open period it once had with a restriction on the occupation, but also the limitations imposed by a limited period planning approval.

Councillor Hasthorpe said that he did not want to focus on the rights and wrongs of the demolition. He said that the applicant had put forward an application with a design similar to that of the previous chalet. He proposed that the application be approved.

Councillor Lindley said that he did not like to see retrospective applications. Councillor Lindley stated that had an application come before the committee asking for permission to demolish the chalet, he was not sure that the application would have been approved. He said that he would like to see a like for like replacement. Councillor Lindley said that he took

on board that it would be a similar design, but he still thought it was a shame that the character had gone. He said that he did not think that what was being proposed would enhance the character of the area. Councillor Lindley reiterated that he was disappointed to see a retrospective application. He stated that unless a condition could be added requiring that the replacement chalet be a like for like of the previous chalet, he would not be happy with the application and would not be supporting the proposal to approve the application.

Councillor Hudson said that he agreed with the objector and said that he did not want to see a demolition go ahead without permission being granted prior. He acknowledged that the proposed chalet in the plans did look similar and officers had explained that the increase in height was for safety reasons. Councillor Hudson stated that he did not think it would be possible to find the exact materials to replicate the previous chalet. He said that whilst he understood the frustrations of the objectors, there was now an empty site to consider. Councillor Hudson said that if the council went down the enforcement route, what was being proposed would be similar to what we would ask for in an enforcement situation. Councillor Hudson seconded the proposal to approve the application.

Councillor Goodwin agreed with Councillor Hasthorpe and Councillor Hudson. She said that the proposed design of the chalet appeared to be very similar to the chalet that had previously been on the site. Councillor Goodwin commented that she walked through the Humberston Fitties a lot and had noticed a lot more futuristic looking chalets on the site.

Councillor Aisthorpe said that she had not made her mind up yet on which way she would vote. She disagreed with Councillor Hasthorpe and Councillor Hudson and thought it was important to discuss the demolition of the chalet and the issue of enforcement. She sought clarification on the issue of enforcement regarding the demolition.

Mr Dixon stated that an enforcement case had been raised and an application submitted in response. He said that retrospective applications were allowed under the planning system. Mr Dixon informed committee members that planning enforcement was centred around resolution.

Councillor Aisthorpe said that it appeared to her that people are allowed to break the law and then are allowed to submit another application. She said she found the idea of an over enthusiastic builder knocking down the chalet concerning as it didn't appear to her that the client was even aware of the demolition.

Mr Dixon said that was not something that him or other planning officers get involved with and would be something for the Health and Safety team.

Councillor Aisthorpe said that asbestos was not a reason to demolish the chalet and the committee had heard that asbestos was better left than interfered with. She had concerns regarding the reasoning behind the demolition. She asked whether the structural report had been undertaken

by a reputable company. Councillor Aisthorpe said that if members looked at the structural report and it was found that the problems were not valid, then approving the application would be wrong in the eyes of the law. Councillor Aisthorpe said that she was leaning towards voting against the application.

The Chair said that he thought Councillor Aisthorpe had raised some valid points.

Councillor Holland thought that approving a retrospective application for a demolition could set an extremely dangerous precedent. He said that he agreed with Councillor Aisthorpe and Councillor Lindley. Councillor Holland agreed that if the application had come before the committee asking for permission prior to any demolition taking place, it would have been refused. Councillor Holland said that the chalet should be put back like for like.

Councillor Batson said that he thought it was sad that the chalet had been taken down and that permission had not been sought first. Councillor Batson said that this was not the first time something like that had happened and he said he doubted it would be the last. Councillor Batson said that the Humberston Fitties had modernised over time and to achieve a like for like chalet would be difficult. He said that the chalet that was demolished would have also changed over time and would not have been exactly the same as when first built. Councillor Batson said that he thought it would be nearly impossible to get the exact materials that were first used.

Councillor Lindley said that he was concerned about setting a dangerous precedent. He said that he did not want to convey a message that people could demolish a building and then submit a retrospective application. Councillor Lindley said that he had considered abstaining from the vote as he could not support a new chalet unless it was like for like but said that he now thought it was important that the committee sent out a message that it was not acceptable. He said that he would be voting against the application.

The Chair thought lessons could be learnt and that the issues raised by Councillor Aisthorpe were important. The Chair said that he thought it was worth looking at more robust planning conditions in the future. He asked planning officers to respond to Councillor Aisthorpe's query about the structural report.

Mr Dixon confirmed that the report was done by reputable consultants. He said that in terms of enforcement, the planning department could not deviate from the National Planning Policy Framework. Mr Dixon said that the retrospective application was a resolution.

Councillor Hudson said that he was concerned about what would happen if the application was not approved. He said that it was the planning committee's job to resolve the issue. Councillor Hudson said that whilst he



did not think it was right what had happened, he was happy that the proposed chalet would be of a similar design to the former.

Councillor Hasthorpe said that he was not sure whether the committee would have approved the demolition or not, had permission been sought. However, the application in front of the committee for a new chalet appeared to be like the previous chalet.

Councillor Goodwin queried whether the contractors used had to be approved by Tingdene.

Mr Dixon said that he was not sure whether Tingdene had to approve contractors.

Councillor Shutt said that he was not an expert on planning enforcement but he understood that planning officers must follow the national guidance. He said that he had sympathy with the objector and that a precedent being set would be wrong as there should be better enforcement, so people didn't have the wrong attitude. Councillor Shutt said he also understood the points raised by Councillor Hasthorpe and said that whilst he didn't think it was right what had happened, he did not think there would be much difference.

Councillor Aisthorpe responded to Councillor Hudson and said that if the application was not approved, we could ask the applicant to put the chalet back up and for it to be like for like. She said that she understood that the applicant might struggle to get some materials that were previously used, but they could try to the best of their ability. Councillor Aisthorpe said that a law had been broken. She said that it was important to protect history. Councillor Aisthorpe stated that she would be voting against approving the application.

Councillor Dawkins said that he had listened to the debate as he was unsure of which way to vote. He said that all members seem to agree that the chalet needed to be put back like for like or as close to that as possible, but he said a law was broken. Councillor Dawkins said that he did not want to see this happen again. He said that he was happy for the chalet to be built like for like but would like enforcement action to go ahead.

Mr Dixon reiterated that planning officers focused on resolution as that was in line with the national guidance. He stated that a further restriction around occupancy would be put on the proposed chalet and that this was outlined within the application.

**RESOLVED** – That the application be approved for a limited period.

(Note - the committee voted 6 for and 5 against for the application to be approved.)

## **Item 6 – DM/0326/22/FUL - 299 Louth Road, Grimsby**

Mr Dixon introduced the application and explained it was for a change of use of a residential outbuilding to a beauty salon with an amended access. Mr Dixon said that the application had been brought before the committee due to a call in from Councillor Shepherd. Mr Dixon stated that the site was located within the development boundary of Scartho in a residential area. He said that it was not uncommon to have at home businesses in these types of area. Mr Dixon said that the application was acceptable in principle. Mr Dixon said that a proposed extension was no longer included in the application and the fence was also not a consideration for the application as this had been put up under permitted development. Mr Dixon said that whilst planning permission was not needed to put up the outbuilding as this could be done under permitted development, using it as a business location did require planning permission. Mr Dixon said that the application was acceptable in terms of design and would not cause any visual harm. Mr Dixon said that the applicant had submitted a statement outlining work hours and had said she would have on average five appointments a day. The applicant had said there would be some training taking place at the location a few times a month. Mr Dixon said that the use was considered acceptable by the council's environmental protection team. Mr Dixon stated that objections to the application included concerns such as loss of light, highway safety and the application being submitted retrospectively. Mr Dixon stated that the planning process allowed for retrospective applications. He said that, as the outbuilding was for ancillary residential purposes, it would be permitted development and in that sense overshadowing and massing was not to be considered. Mr Dixon stated that the council's highways officer had raised no objection to the application but had recommended that the business be accessed via the driveway and not using Side Lane. Mr Dixon said that the applicant had agreed to this and would be given three months to construct the access and close off the access from Side Lane. He said that the issue of parking had been a concern cited in the objections but Louth Road did allow for parking as there were no yellow lines and people could park there already when visiting the residential properties. Mr Dixon referred committee members to the supplementary agenda which outlined the conditions. Mr Dixon stated that the council's drainage officer had raised no objection to the application. Mr Dixon stated that the application was in accordance with policies 5, 22, 34 and 38 of the North East Lincolnshire Local Plan and was recommended for approval for a limited period.

Miss Dobbs spoke as the applicant for the application. She said that she had put her savings into making the home business work. Miss Dobbs said that she had a large driveway and was more than happy to allow her clients to use this. She said that the business would not cause any noise and that there were lots of home businesses in the area. She asked the committee to support her application.

Councillor Shepherd spoke as the Ward Councillor for the Scartho Ward. He explained that he had called in the application on behalf of residents who had concerns. He referred committee members to the supplementary agenda containing evidence he had submitted. Councillor Shepherd stated that the residents had tried to speak to the applicant but said that this had led to the police being involved. Councillor Shepherd said that the plans submitted were not correct. He said that the front fence was further forward and was running in parallel with the building. Councillor Shepherd stated that there was also a sign on the fence stating that the entrance was on Side Lane. He said that the other issue was the traffic. Councillor Shepherd said that people were parking on Louth Road, parking across the carriageway, on the footpath and on the cycle lane. He said that this was forcing children to have to cycle around the cars. Councillor Shepherd stated that there was insufficient parking. He said that Louth Road was busy and the cycle lane was used frequently. He said the cycle lane being blocked was a concern. Councillor Shepherd said that he had provided evidence showing cars parked on both sides of Louth Road which was causing an obstruction to buses. He asked committee members to refuse the application.

Councillor Goodwin said that lots of beauticians and hairdressers use their homes as their place of work. She said that she was happy with the application as the applicant had said she would open up her driveway to avoid use of Side Lane. She proposed that the application be approved.

Councillor Lindley said that he knew the site well and felt that it could accommodate the building. He said that outbuildings were fairly common, and he said that he had no concerns about the building. Councillor Lindley stated that he did have concerns about parking. He said that Tollbar Academy was less than a mile down the road and he had concerns with children cycling and the blocking of the cycle lane. Councillor Lindley said that Louth Road was a very busy road and it was important to not ignore the potential danger. He said that he had concerns that the vehicles of those going to the business would not be contained within the driveway. Councillor Lindley said that he thought cars would still park on Louth Road and on Side Lane. He said that cars had to park on the grass on Side Lane in order to make it viable for another car to pass. Councillor Lindley stated that he had huge reservations around the parking issues. He said that he would listen to the rest of the debate but said that he would struggle to support the application unless the highways and parking issues were dealt with.

Councillor Croft said that she had reservations about the application due to the issue of parking. She said that she thought the building looked nice but that the issue of parking needed addressing.

Councillor Hasthorpe queried whether it was possible for a vehicle to turn around in order to enter and exit in forward gear. He said that he had concerns about people reverse exiting onto Louth Road.

Ms Hattle said that she had recommended a condition that Side Lane be closed off and that only Louth Road be utilised as an access point. She said that there would be signage stating this. Ms Hattle said that she

thought there would be enough space for a driver to turn around and enter and exit in forward gear. She said that the applicant had said there would not be any more than five clients in a day so she said she would not expect more than the owner's vehicle and the client's vehicle using the driveway at any one time.

The Chair queried the occasional training that would take place at the site and the impact of that on the parking situation.

Ms Hattle said that there was enough space on the driveway for three or four cars. She said that there was also a grass area. Ms Hattle said that there should not be any parking on Louth Road. She said that whilst she didn't think there were any restrictions on Louth Road, she would not support people parking on Louth Road.

Councillor Lindley queried the recommendation of closing Side Lane off and the impacts on other residents.

Ms Hattle stated that the recommendation was to close the Side Lane access for the specific property. She said that this would not affect other residents.

Councillor Hudson said that he thought the outbuilding looked nice. He said that he also had concerns around parking. Councillor Hudson said that he thought the revised plans would solve the issue, but he said that he was concerned about the three months in between. He said that he thought it might be appropriate to defer the application until the necessary work was completed. Councillor Hudson stated that he wanted to support a business, but he didn't want there to be a safety issue.

Mr Dixon clarified that the committee could not defer the application until the works had been completed as the works would only go ahead should the application be approved.

The Chair queried whether the business was currently operating.

Mr Dixon stated that it was.

The Chair said that he had concerns about the three-month period.

Ms Hattle said that it might not take three months for the work to be completed but said that the time limit of three months was standard.

Councillor Aisthorpe queried how many vehicles would be able to turn and reverse in forward gear.

The Chair stated that the highways officer had said it would be three or four.

Councillor Aisthorpe said that she supported the business and said that working from home was a sign of the times. She said that there were no restrictions on Louth Road. Councillor Aisthorpe said that she would

support the application and she wished the applicant well with her business.

Councillor Croft said that she would be happy to support the application but was concerned about the three-month period.

Councillor Dawkins said that parking was a concern. He said that even if the driveway allowed for three or four cars, it could quickly be at full capacity. He said that it was a major road and route to Toll Bar. Councillor Dawkins said that he was struggling to support the application.

Councillor Hasthorpe said that it was also a main access route to the hospital and there was an issue around emergency vehicles. He said that he would not want to get in the way of a business operating but had concerns about safety.

Councillor Shutt queried why there weren't any yellow lines if there were issues.

Councillor Goodwin said that other people could park on Louth Road that had nothing to do with the business. She said that the committee should not stop a business. Councillor Goodwin stated that there were no double yellow lines on Louth Road.

The Chair said that he would like to see a condition added about making sure that the parking was contained. He said he wanted the issue around parking solved and if the committee were to approve the application, the issue would not be resolved.

Councillor Lindley said that he did not want to see numerous cars blocking Louth Road and he had concerns around the issue of Side Lane. He stated that he was also worried about enforcement. Councillor Lindley stated that enforcement would need to be cast iron so there would be no issues. He said that he thought it was a fantastic business but was torn due to the safety issues and was struggling to come to a decision on the application.

Councillor Goodwin asked whether the applicant could make sure there was appropriate timing between appointments in order to avoid any issues during the three-month period.

Councillor Shutt said that he thought Councillor Goodwin had made a good point. He queried whether there could be a condition added that there be no training days during the three-month period in order to avoid extra vehicles being at the business.

Councillor Hasthorpe said that safety was the main issue. He proposed that the application be deferred to allow for further discussions.

The Chair seconded the proposal of deferral.

Councillor Lindley said that he agreed that deferral was the sensible option to allow for further discussions.

Mr Dixon reiterated that the committee could not defer in order for work on the access to take place as permission needed to be granted first. He said that the committee could defer and ask for more details on the plans. Mr Dixon said that temporary permissions could be looked at.

Councillor Holland said that he would like to defer the application so the parking facilities could be looked at.

Councillor Lindley said that he would not want to refuse the application as he thought there could be a resolution.

Councillor Aisthorpe said that she did not think deferral was the right option. She said that all committee members agreed that they wanted to support the business. Councillor Aisthorpe said that conditions such as staggering appointment times and no training days could be added to the application.

Councillor Hasthorpe stated that deferring the application until workable solutions were reached was appropriate.

**RESOLVED – That the application be deferred.**

(Note - the committee voted 9 for and 2 against for the application to be deferred.)

Councillor Hasthorpe left the meeting at this point.

### **Item 3 – DM/0303/23/FUL - The Hope Centre, Hope Street, Grimsby**

Mr Cadd introduced the application and explained that it sought to erect a single storey independent living facility. He said that the application had been brought before the committee due to a call in from Councillor Aisthorpe and Councillor Beasant. Mr Cadd stated that the proposed site was located within the development area of Grimsby and the location was considered to be suitable for residential accommodation. Mr Cadd explained that the accommodation would be able to be used by up to five individuals who were in need of medium to long term accommodation. Mr Cadd said that the facility would not be an overnight shelter and would therefore suit a different need to the current Harbour Place night shelter. He said that the night shelter's amount of use justified the existence for this type of accommodation in the area. Mr Cadd stated that the application was acceptable in principle. Mr Cadd said that the proposed building design was acceptable and would not be out of character for the area. He said that the closest neighbour to the site would be the vacant Mariners pub. The area closest to the site was used as the smoking area and could potentially cause noise nuisance to future residents. Mr Cadd said that the council's environmental protection officer had not raised an objection to the application but had requested the rooms facing the pub be sound proofed and mechanically ventilated. Mr Cadd said that there would also be 2.4 metre high acoustic fence along the boundary wall. Mr

Cadd said that there had been concerns raised by residents citing an increase in anti-social behaviour. Mr Cadd said that the applicant was aware that incidents had occurred in relation to the night shelter. Mr Cadd said that the applicant did work with the police and during this year there had been one incident where there had needed to be police involvement. Mr Cadd said that whilst there have been issues with the night shelter, the application was for a different scheme and different type of accommodation. Mr Cadd stated that the proposed facility would not lead to additional people turning up as it was not another night shelter. Mr Cadd said that the application did not include a new access point but did include the introduction of a new access ramp for disabled people. He said that the ramp would mean a reduction in parking spaces but, as the occupants were unlikely to own a car and no new members of staff were expected, the parking facilities were considered acceptable. Mr Cadd stated that the council's highways officer had not objected to the application. Mr Cadd said that the facility would be located within flood zone 3 which was a high flood risk area. He explained that in order to develop in this area, developments must meet the requirements of Sequential Test and the Exceptions Test. Mr Cadd said that the facility would share resources and staff with the current night shelter meaning the site could not be located elsewhere, therefore satisfying the Sequential Test. Mr Cadd said that the applicant had agreed to raise the floor levels and he said that the Environment Agency had not objected to the plans subject to a Flood Risk Assessment being carried out and a flood warning and evacuation plan being submitted. Mr Cadd said that subject to these being approved the application was acceptable in terms of flood risk. Mr Cadd stated that the council's drainage officer had recommended conditions which had been included within the application. Mr Cadd stated that the application was in accordance with policies 5, 16, 22, 33, 34, 36 and 38 of the North East Lincolnshire Local Plan and was therefore recommended for approval with conditions.

Mr Neville spoke in objection to the application. He said that he lived close by to the site, and that he had heard constant swearing and seen people smoking and taking drugs.

Ms Hodson spoke as the applicant for the application. She said that Harbour Place supported those that were homeless. Ms Hodson said that in 2018, the charity moved to the Hope Centre and opened up a night shelter which provided food and overnight accommodation. Ms Hodson said that whilst providing people with a bed for the night can help, it did not give some the support they need. She said that the charity had always found it difficult to provide accommodation for individuals who need more support hence the need for the new accommodation. Ms Hodson stated that with targeted support, individuals would be more supported and would be encouraged to work on their numeracy and literacy skills as well as provided support on their mental health. She stated that the minimum stay would be six months. Ms Hodson said that Harbour Place had built trust amongst homeless people. She said that there would be a visible police presence at the centre. Ms Hodson said that the facility would be five bedrooms which would all have an ensuite and then shared communal

facilities. Ms Hodson said that the building would create a small revenue for Harbour Place. She said that there would be staff there at all times.

Councillor Beasant spoke as ward councillor for the East Marsh Ward. He said that it was important to take into account residents. Councillor Beasant stated that he was a big advocate for Harbour Place and had previously been a trustee and had also raised thousands of pounds for the charity. However, he said that he had spoken to residents who had been intimidated and had suffered racial abuse. Councillor Beasant said that the current night shelter was attracting many problems including breaking and entering into people's homes. He said that this was not fair on residents. Councillor Beasant stated that he was not against the application but said that if it was to go ahead, it needed to be managed properly. He said that the current night shelter was not managed properly. Councillor Beasant said that when he was a trustee of the Harbour Place board, he had suggested a consultation with residents be undertaken, but he said he had been the only trustee who supported that. He stated that the issues needed to be addressed as residents could not suffer as they had been. Councillor Beasant said that children were having to see drug dealing and it could not carry on. He said that he did not think Harbour Place had enough money to manage the situation properly and that they needed more support in getting people off alcohol and drugs. Councillor Beasant said that the additional accommodation being asked for would attract more individuals. He said that the current night shelter and any further accommodation needed good management and a plan put in place.

Councillor Aisthorpe said that she empathised with those that were homeless and she recognised the need to support them, but she said it was also important to ensure the safety for residents. She said that she had received constant reports about the night shelter. She said that the residents were suffering, and she said without the issues being addressed first, further development would heighten the issues. Councillor Aisthorpe stated that she was concerned to read in the report that no additional staff would be employed for the proposed new site. Councillor Aisthorpe proposed that the application be deferred to allow for consultation with residents, Humberside Police, ward councillors, Harbour Place and the council's Anti-Social Behaviour Team.

Councillor Goodwin sought clarification on the Mariners Pub, she asked whether it was going to be a community hub.

The Chair said that the pub was closed and was not a part of the application.

Councillor Aisthorpe stated that there were plans for a community hub but she said that there would still be a pub on the premises and that was important to keep in mind.

Councillor Dawkins said that there was accommodation of this type in Humberston and it worked well. He said that the accommodation would help those that need it, but he said that it was important to consider if this



was the right location. He said that he agreed with Councillor Aisthorpe. Councillor Dawkins seconded the proposal to defer the application.

Councillor Lindley said that he agreed with Councillor Aisthorpe and Councillor Dawkins. He said that there was lots of vulnerable people in the area and Harbour Place provided facilities to support them. He said that the application was for supported living which would provide more stability for those in need. Councillor Lindley said that he took on board the objections. He said that he was concerned that there had been no comments from Humberside Police regarding the application. Councillor Lindley said that he would support the proposal of deferral.

Mr Cadd referred committee members to the comments from Humberside Police included in the supplementary agenda. Mr Cadd stated that the staffing line in the report was referencing the staff at the night shelter and that there would be no change to the staffing at that facility.

Councillor Hudson said that there was a desperate need for the accommodation. He said that the application was not going to affect the current situation. Councillor Hudson said that it was important to look at the application that was being presented. He said that he thought it was a good scheme and that he would like to see it approved.

Councillor Goodwin said that she thought deferral of the application was the best option. She said that the facilities were needed but said that discussions need to take place between Humberside Police and ward councillors.

Councillor Aisthorpe said that we did need the facilities but that the question to consider was whether the proposed site was the right location. She said that she thought it would add to the existing problem further. Councillor Aisthorpe said that it was worth remembering that the police could only provide feedback based on what was reported to them, but she said that she had been told by different residents that they were reluctant to report issues to the police.

Councillor Shutt said that he thought everyone was trying to do the right thing. He said that agreed with Councillor Aisthorpe and Councillor Beasant that there were challenges within the area. He said that he was not sure whether deferral was necessary in order to allow for consultation to take place. He queried whether discussions could take place whilst development was taking place.

Councillor Holland said that he liked to listen to ward councillors regarding applications within their ward as they know their patch. He said that he understood the concerns raised and said that the development could make the current situation worse. Councillor Holland stated that he would like to see the application deferred to allow time for a plan to be put together.

Councillor Croft said that she fully supported the application and said that she agreed with Councillor Hudson.

Councillor Lindley said that he had changed his mind and said that he thought deferral of the application could slow things down. He said that there was an absolute need for the accommodation. Councillor Lindley said that he would support the application.

Councillor Aisthorpe stated that there was a YMCA in the area, and she said that she barely heard any issues about that, but she said with the night shelter, there appeared to be a lot of issues. She said that she understood the application was proposing a different type of accommodation to the night shelter but said that the facility would be run by the same staff. Councillor Aisthorpe said that she had spoken to a resident who had become unwell due to the issues with the night shelter. She said that the resident had been intimidated and now no longer left the house. Councillor Aisthorpe asked members to support the proposal of deferral and allow ward councillors to look at the issues first along with other groups.

Councillor Hudson said that the issues being raised were police issues and not something for the Planning Committee to consider.

Councillor Aisthorpe said that it was important for the Planning Committee to discuss safety. She said that was the role of the committee.

Councillor Dawkins said that he had concerns about the practicality of running another facility with no additional staff.

RESOLVED – That the application be deferred.

(Note - the committee voted 5 for and 5 against with the Chair making the decision for the application to be deferred.)

Councillor Hasthorpe returned to the meeting at this point.

#### **Item 4 – DM/1022/22/FUL - Anne Askew House, South Marsh Road, Stallingborough**

Mr Dixon stated that planning officers needed to consult further with the applicant. He recommended the application be deferred to allow for those further discussions.

The Chair proposed that the application be deferred.

Councillor Hasthorpe seconded the proposal to defer the application.

RESOLVED – That the application be deferred.

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

Councillor Aisthorpe left the meeting at this point.

### **Item 5 - DM/0146/23/FUL - 12 Edge Avenue, Grimsby**

Mr Dixon introduced the application and explained that it sought retrospective permission to retain a tree house in a garden and boundary fence with associated works. He said that the application had been brought before the committee due to a call in from Councillor Westcott. Mr Dixon said that policy 5 applied, and the application was therefore considered to be acceptable subject to other issues being considered. Mr Dixon said that the tree house was a large structure and was located at the front of the property and did therefore impact the street scene. He said that the tree house was significantly higher than the fence and that due to the height and the corner location, both the tree house and fence were visually dominant. Mr Dixon said that officers thought that it was a bit too much for the street scene. Mr Dixon said that it was considered that the tree house and fence did cause visual harm to the street scene and character of the area. Mr Dixon said that no neighbour objections had been received. He said that there would not be an impact on neighbouring properties in terms of amenity as there was an appropriate distance between the tree house and fence to neighbouring properties. He said that consequently there would be no issues of overlooking or massing. Mr Dixon stated that the council's highways officer had objected to the application citing concerns over lack of visibility at the access. Mr Dixon said that the tree house and fence did have a detrimental impact on the street scene, the character of the area and highway and pedestrian safety. Mr Dixon stated that the application was not in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan and was therefore recommended for refusal.

Mr George spoke as the applicant for the application. He said that the idea of having a tree house had started six years ago when he began collecting reclaimed timber, unbeknown to him that four years later his daughter would become home educated and the two parts came together. Mr George stated that prior to the enforcement and planning threatening removal, the tree house was to become one of many hubs for the self-funded local home education group and within that there were 29 children that would come to learn about wildlife, outdoor skills, foraging, outdoor cooking, socialising and outdoor play. Mr George stated that he had been given some fantastic support from his ward councillors. He said that the Treehouse had had a huge impact on the local area, from local residents to passers-by. He said that there had been a huge increase in wildlife, including a daily visit from a squirrel on the treehouse, many different bird species, such as blue tits, starlings, coral tits and even a pigeon nest during construction. Mr George stated that he had lived in Edge Avenue for eighteen years. He said that since the tree house had been up, he had spoken to so many more residents. Mr George said that the positive comments had been overwhelming, and he said that people stop to chat to him and say how much better it was to have something fun in the area. He said that the tree house currently had no roof, and this had led to it having a damaged internal floor and unfinished exterior. Mr George stated

that his daughter was now nine years old, and the tree house would only be up for another 8-10 years due to the nature of the materials used. Mr George stated that he thought he had built the tree house to be in keeping with the area. He said that the build was not obtrusive, and he said that if anything, the existing hedges and holly was a hindrance to passers by and drivers. Mr George stated that he felt that the refusal of the application would be a shame due to the smile that this puts on everyone's face on a daily basis. Mr George stated that the removal of tree house would also be a child's dream broken. He said that we all need to have more fun in our lives.

Miss Pickerden read out a statement on behalf of the Ward Councillor for the Park Ward, Councillor Westcott.

Councillor Westcott referred to a report from Adam Brockbank that contradicted the information submitted regarding visibility at the junction with Charles Avenue. Councillor Westcott noted that the recommendation within the report was to approve the application with no conditions. The statement read that Park Ward Councillors felt compelled to call in the application. Councillor Westcott wrote that there had been no complaints from neighbours or any nearby residents. The local community had embraced the construction of the tree house and passers-by frequently relayed positive feedback to Mr George. Councillor Westcott queried why a flag flying from a 20ft pole was considered in keeping with the street scene but not a tree house. He wrote that the highways department had raised concerns about visibility at the junction, yet both the height of the tree house and supporting fence made no difference whatsoever to the view pedestrians or drivers had at the location. Councillor Westcott wrote that dangerous parking on or too close to corners was a real issue in this specific area of Park Ward, something that ward councillors and the neighbourhood policing team were constantly working to enforce. There were are also countless examples of junctions being obscured by overhanging branches, hedges that were poorly maintained and other hazards across the borough, all of which pose a far greater danger to road users and pedestrians. The highways department was satisfied that Mr George has taken the necessary steps to prevent objects falling from the tree house, which was a fair and proportionate public safety concern. Councillor Westcott wrote that at present, the objections to the construction of the tree house concerned was denying Mr George's daughter and numerous others the opportunity to learn and thrive socially in an inspiring environment, that was also increasingly attracting wildlife. He wrote that all the children referred to above have been missing out for around a year now, on the back of recent Covid restrictions. Mr George was incurring additional construction costs, as the tree house floor had been open to the elements, due to the delay in a roof being added. Councillor Westcott firmly believed that taking all the information into account, the planning committee should approve the application, particularly given that the tree house actually enhanced the surrounding area.

Councillor Shutt queried whether if the fence was hedge instead, there would still be a highways concern.

Ms Hattle said that there would still be concerns.

Mr Dixon stated that there would be concerns but clarified that hedges didn't require planning permission.

Councillor Shutt said that he understood the concerns but said that people needed to act with due care. He said that he thought the tree house should stay.

Councillor Holland thought the fence was an issue. He understood that if someone was reversing, they would have a restricted view. Councillor Holland queried whether a condition could be added to the application that stated that the fence must be moved back to allow for more visibility.

Ms Hattle said that could improve the visibility issue but she said that more detail would be needed. Ms Hattle responded to the query from Councillor Westcott and informed him that the recommendation in the report referenced was determined prior to the fence being included with the application for consideration.

Councillor Hudson said that he thought the tree house was quirky and different. He said that he understood why some might not like it, but he said that he thought it was nice. He said that the applicant's neighbours didn't seem to dislike it as there had been no objections from neighbours. Councillor Hudson said the issue was the fence and he said moving it back might help. He said that he thought it was worth putting a condition on the application allowing the tree house for several years but not indefinitely.

Councillor Goodwin said that he couldn't believe that the application had been brought before the committee. She said that if the resident was happy to sort the fence out, she was happy with the application. Councillor Goodwin commented that it was nice to hear about home education.

Councillor Croft said that she thought the tree house was a wonderful feature. She proposed that the application be approved with the added condition about the fence.

Councillor Batson said that he liked the tree house and would support the application.

Councillor Lindley said that he was surprised to see that there were no objections to the application. He said whilst it was not his cup of tea, he saw no issue with it. He said that he would support approval of the application.

Mr Dixon stated that if the application was approved with the condition about the fence, the applicant would have a three-month time limit to carry out the necessary works.

The Chair queried whether a condition on how long the tree house should remain should be included with the application.

Councillor Hudson stated that a ten-year period would be reasonable.

Councillor Croft proposed that the application be approved along with the additional conditions.

Councillor Goodwin seconded the proposal of approval with the additional conditions.

RESOLVED – That the application be approved with conditions.

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

Councillor Aisthorpe returned to the meeting.

Councillor Pettigrew left the meeting at this point.

COUNCILLOR HASTHORPE IN THE CHAIR

### **Item 7 - DM/1070/22/OUT - 3 Kingsfield Farm, Main Road, Barnoldby Le Beck**

Mr Dixon introduced the application and explained that it sought to outline permission for the erection of two dwellings and associated works with all matters reserved. Mr Dixon stated that the application had been brought before the committee due to a call in from a ward councillor. Mr Dixon said that the proposed site was outside of the development boundary and was located within the open countryside. Mr Dixon stated that the tilted balance did not come into effect as the council could now demonstrate a five-year supply of housing. Mr Dixon said that applications could be considered that were outside of the local plan but only if they met certain criteria. He explained that the application did not meet any of the relevant criteria and therefore the application was not acceptable in principle. Mr Dixon said that the proposed development would have a detrimental impact on the character of the area as it proposed that the development extend into the rural landscape. Mr Dixon said that the proposed site was covered by tree preservation orders. He said that the council's tree and woodlands officer had raised an objection to the application citing concerns of pressure on trees should the application be approved, and the development go ahead. Mr Dixon said that the applicant had worked with the council's highways officer and some issues around the access had been resolved. He also said that the applicant had worked with the public rights of way officer and had also resolved the issues raised. Mr Dixon stated that the council's highways officer and public rights of way officer had not objected to the application but had both requested conditions be added. Mr Dixon said that the council's drainage officer had also requested conditions which had been included in the application. Mr

Dixon stated that there had been some objections raised regarding potential overlooking. He said that whilst the proposal was only an outline application, it was considered that the proposed development could be completed without causing overlooking or massing due to the distance between the proposed development and neighbouring properties. Mr Dixon said that the council's heritage officer had recommended a condition be included with the application. Mr Dixon stated that the issue of the principle of the development remained. He said that the application was not in accordance with policies 3, 5, 22 and 42 of the North East Lincolnshire Local Plan and was therefore recommended for refusal.

Mr Nelson spoke as the agent for the application. He said that the application was concerning two dwellings and said that his client was looking to build a sustainable house in their garden. Mr Nelson stated that the initial application was submitted prior to the council being able to demonstrate a five-year supply of housing. He said that there had been objections raised from the neighbour's citing concerns around the highways, but he said that these issues had been dealt with. Mr Nelson said that in terms of neighbouring amenity, he had provided information to show that there would be no issues with the bins and that there would also be an appropriate distance between the development and neighbouring properties in order to avoid overlooking issues. Mr Nelson said that the council's highways officer had agreed to the access plans. Mr Nelson stated that he had also consulted with the council's footpath officer in order to prevent any potential conflicts. He said that he had revised the plans following discussions with the council's tree officer and had moved properties away from the trees with tree preservation orders. Mr Nelson said that his client would accept a condition stating that the development would need to be further away from the trees. Mr Nelson said that there had been some new dwellings built outside the development boundary. He said that he did not agree with the statement that village locations were not sustainable. Mr Nelson stated that he had had detailed discussions with all technical consultees and he hoped the committee would take into consideration that the discussions had taken place prior to the updated figures for the housing supply being in effect.

Councillor Dawkins said that the proposed development site was outside of the development boundary. He said that the proposed site was a green piece of land and he said that he would like to see it stay that way. He proposed that the application be refused.

Councillor Lindley said that he liked to be consistent. He said that the proposed site was not in the local plan. Councillor Lindley seconded the proposal to refuse the application.

Councillor Hudson said that if the application had come before the committee six months ago, it potentially would have been recommended for approval due the issue around the housing supply. He said that the development looked good and had good access but said that the council was now in a different position regarding the housing supply. Councillor

Hudson said that the council was trying to protect green spaces and said that the proposed site was a lovely piece of green land.

RESOLVED – That the application be refused.

(Note - the committee voted 9 for and 1 against for the application to be refused.)

Councillor Pettigrew returned to the meeting.

#### COUNCILLOR PETTIGREW IN THE CHAIR

### **Item 8 - DM/0086/23/FUL - The Limes, Grimsby Road, Laceby**

Mr Cadd introduced the application and explained that it sought retrospective permission for the erection of an outbuilding for the use of commercial chocolate making, selling chocolates and delivering in-house educational and public chocolate workshops. Mr Cadd said that the application had been brought before the committee due to a call in from Councillor Hudson. Mr Cadd said that the building was incomplete at the moment. Mr Cadd said that the business was an exciting and positive enterprise. He said that the site was located outside of the development boundary for Laceby and was within the open countryside. Mr Cadd said that development could be considered in the open countryside if it met certain criteria. He said that the proposed development would not satisfy the relevant criteria. Mr Cadd stated that the location for the development was also considered to be unsustainable. Mr Cadd said that despite the benefits the business would bring, the location for the development was not considered to be acceptable. He said that the building had a flat roof and was currently a blue colour which had not aided the character of the area but it would be clad in timber which would reduce the impact on the character of the area. He said that with this, the impact the development would have on the character of the area would be minor. Mr Cadd said that the council's drainage officer had not objected the application but had requested conditions which had been included. Mr Cadd stated that the council's highways officer had objected to the application.

Ms Hattle said that the Highway Authority had visited the site on three occasions to assess the proposals. She said that it was noted, through conversations with the applicant, that if proposals were granted approval, the applicant would be willing to undertake improvement works to try and mitigate the highway impact. Ms Hattle said that unfortunately the Highway Authority was of the opinion that these improvements would not be sufficient to overcome the safety concerns associated with the intensification of the use of the access point. She said that the applicant originally stated there was adequate space for 3-4 vehicles to park on site but has since changed this to state there was adequate space for 'event style parking' totalling 20 spaces. Ms



Hattle said that when vehicles are exiting the site there was an increased risk of manoeuvres being undertaken to cross three lanes of traffic, moving at 50mph, to go across to Laceby village. She said that the traffic approaching from Grimsby was not looking for vehicles deaccelerating to the left, only potentially vehicles slowing in the right-hand side lane to turn to Laceby village. Ms Hattle said that it was also of concern that there was an increase in vehicles looking to accelerate away from the access onto Laceby Bypass with vehicles travelling at 50mph. Whilst the Highway Authority believed the proposed use was an excellent idea, it could not support it in this location given the highway safety concerns.

Mr Cadd said that whilst the business would have some positive impacts, it was not considered that the positive benefits would outweigh the issue around highways and the issue of the principle of the development. Mr Cadd stated that the application was not in accordance with policies 3, 5, 22, 36 and 40 of the North East Lincolnshire Local Plan and was therefore recommended for refusal.

Mr Clay spoke as the applicant for the application. He clarified that the business was not an actual factory. He said that he had provided a drawing showing the mitigation that would be put in place. Mr Clay said that at the site they did not normally get more than two or three cars at once. He said that the site had sufficient parking. Mr Clay stated that based on nine months of trading, there had been on average eighteen vehicles visit the site in a week. Mr Clay stated that he had proposed to use a convex traffic mirror in order to address the concerns over visibility which would provide a 25m field of vision. He was not aware of a single road where it could be claimed that a potential issue could not occur. Mr Clay stated that he was willing to do the works required. He wanted find a solution rather than receive an instant no from the committee. Mr Clay wanted the business to be part of the community. Mr Clay stated that his wife had previously worked in children services. He said that the business had now changed and now facilitated workshops for young people and adults who had learning difficulties or disabilities. Mr Clay asked the committee to approve his application.

Councillor Lindley said that he thought the business needed to commended and said that if the decision was based on the presentation from the applicant alone, he would have no issue with the application. However, Councillor Lindley stated that there was an issue with regard to highways and safety. He said that the Laceby Bypass was busy and had a history of accidents. Councillor Lindley said that he had concerns about how the development could be approved whilst not impacting safety. He said that there was a speed camera at the right of the junction, and he said people slow down and then speed up after passing the camera. Councillor Lindley stated that it was a serious issue. He said that he did not think it was a good idea to feed more traffic onto the A46. Councillor Lindley was minded to vote to refuse the application.

Councillor Hasthorpe said that he had moved to Laceby prior to the bypass being there. He said that what had not been shown in the photographs displayed by the planning officer was the slip road. He said that he agreed with Councillor Lindley about the issue regarding the speed camera. Councillor Hasthorpe said that the top entrance to Laceby was closed off and what was supposed to happen was that people were supposed to go round but instead traffic went straight through the village. He said that the situation was a road safety nightmare. Councillor Hasthorpe proposed that the application be refused.

Councillor Dawkins said that he would have supported the application if it was at a different location. He said that he agreed with Councillor Lindley and Councillor Hasthorpe. Councillor Dawkins stated that the increase in traffic would be a concern. He second the proposal to refuse the application.

Councillor Batson said that he thought the main issue was drivers and not the road. He said that there was also a row of houses not far from the proposed site where people enter and exit every day. Councillor Batson said that he thought it was positive that someone was willing to do some work on this. He said that he would support the application.

Councillor Hudson said that he agreed with Councillor Batson. He said that there were several properties close by and he said that he thought there was good visibility. Councillor Hudson stated that the highways department did tend to treat us like children. He said that he was concerned that if the committee did not approve the application, then they were putting a person out of business.

Councillor Hasthorpe said that there were four houses near the junction, but he said that there was a rather large layby and that's why the houses were not an issue.

The Chair stated that the building would also be used for commercial use, so would attract more people than a residential dwelling.

Councillor Hasthorpe stated that he had recently seen a Facebook post where 95 people had visited the business.

Councillor Shutt said that the issue regarding the Laceby Bypass was valid. He said that the bypass was very busy. Councillor Shutt said that he did not want to see the business have to close.

Councillor Holland said that the applicant had said there was on average eighteen car movements a week. He sought clarification on the number of workshops which would be taking place.

Mr Cadd said that it was difficult to say how many workshops there would be. He said that the applicant had indicated that there would be a maximum of two workshops a day and that this would be more likely in

the peak periods around the Christmas and Easter periods. Mr Cadd stated that it was a great business and at the moment it was a small business but that could change over time.

Councillor Aisthorpe said that she thought the business was wonderful and she fully supported the business. She said that the issue was the highways. Councillor Aisthorpe said that she was undecided. She said that the issue concerning the junction made making a decision on the application difficult. She queried what was on the site previously.

Mr Cadd stated that the planning history for the site was limited. He said that the site had been a paddock and stables. Mr Cadd said that in a previous planning application the site had been shown as part of the adjoining farm.

Mr Clay said that the information was not correct.

The Chair stated that it was important that the committee focused on the current application.

Councillor Hasthorpe referred committee members to the report in the agenda that stated that the site was outside of the development boundary and was located within the open countryside.

RESOLVED – That the application to be refused.

(Note - the committee voted 7 for and 4 against for the application to be refused.)

Councillor Hudson left the meeting at this point.

### **Item 9 - DM/0117/23/REM - Land North of Main Road, Barnoldby Le Beck**

Mr Dixon introduced the application and explained that it sought a Variation of Condition 1 (Approved Plans) following DM/1103/17/REM to revise layout and amend dwelling design to Plot 6. Mr Dixon stated that the application had been brought before the committee due to an objection from Barnoldby Le Beck Parish Council. He said that the proposed amendments were to change the house type for plot 6 and change the detached garage design. Mr Dixon said that the principle of development had already been established under the original permission. Mr Dixon said that the height of the dwelling would be increased if the amendments were to be approved and that there would be a side elevation. Mr Dixon said that due to the separation between the proposed dwelling and the neighbouring properties, there would be no detrimental impact. Mr Dixon said that the proposed amendments for the garage would also mean that the garage would be larger, but he said that the amendments would not have an adverse impact on neighbouring properties. Mr Dixon said that there had also been no objections to the application from neighbours. Mr Dixon said that the proposed

amendments would not have a negative impact on the character of the area. Mr Dixon stated that the council's drainage officer had requested some updated information. He said that a condition had been included within the application which outlined that the applicant had to provide that information. Mr Dixon said that the council's highways officer had not objected to the amendments. Mr Dixon stated that the application was in accordance with policies 5, 22 and 33 of the North East Lincolnshire Local Plan and was therefore recommended for approval with conditions.

Councillor Hasthorpe said that the site was located within his ward. He said that he had not had anyone speak to him about the development or raise concerns. Councillor Hasthorpe proposed that the application be approved.

Councillor Lindley said that he had no issue with the changes. He seconded the proposal 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/1222/21/FUL - Land at Brigsley Road, Waltham**

Mr Dixon introduced the application and explained that it sought a Variation of Condition 5 (Approved Plans), Condition 9 (Footpath 72 Surfacing Works) and Condition 11(site levels) pursuant to DM/1167/16/FUL (appeal reference APP/B2002/W/18/3212774) to revise the landscaping, amend layout to relocate footpath 72 and change various designs of dwellings across the site. Mr Dixon stated that the principle of the development was well established through the original permission which was granted on appeal. Mr Dixon said that there had been some objections raised regarding the realignment of Footpath 72. Mr Dixon said that the realignment of Footpath 72 was approved by the committee at a previous meeting. He said that the footpath would now run through the proposed landscaped open space and not between properties. Mr Dixon said that there would be some areas of the site where ground levels would be raised. He stated that the council's drainage officer had not objected to the application. Mr Dixon said that the proposed amendments would not negatively impact neighboring properties. Mr Dixon stated that the application was in accordance with policies 5 and 33 of the North East Lincolnshire Local Plan and was therefore recommended for approval with conditions.

Mr Ibboston spoke as the agent for the application. He said that the original application had been allowed at appeal. Mr Ibboston stated that the original application had maintained Footpath 72 but he said that had meant that the footpath ran through the urban part of the development. Mr Ibboston said that he always thought it was more appropriate for the footpath to run through the countryside. He said that he had submitted a public rights of way diversion application which had now been accepted.

Mr Ibboston stated that there was now no reason to maintain the original line. Mr Ibboston said that the other change was that there would only be piling undertaken to two units at the end of the development. He said that he understood that the construction of the development had caused disturbance to neighbours. Mr Ibboston said that the noise from construction taking place was monitored. He said that the construction team had visited neighbours to try and sort the issues out. Mr Ibboston said that the road was being kept clear and there was a reduction of traffic on the roads. Mr Ibboston stated that there had been no issues of flooding on the site, he said that the foundations had filled up with water, but he said this was natural. He stated that the levels conformed to the approved drainage strategy. Mr Ibboston stated that the application was for a variation and that was it. He said that Waltham Parish Council had recommended approval of the application. Mr Ibboston stated that there were no technical consultees objecting to the application.

The Chair said that he would like further assurance that the raising of the ground levels and changes to the boundary treatments would not have a detrimental impact on neighbours.

Mr Dixon said that conditions could added if the committee wanted further assurance.

The Chair said that he would like to see the conditions added.

Councillor Hasthorpe proposed that the application be approved with the extra conditions.

Councillor Batson seconded the proposal of approval with the extra conditions.

RESOLVED – That the application be approved with conditions.

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

### **Item 11 - DM/0270/23/FULA - 83 Humberston Fitties, Humberston**

Mr Dixon introduced the application and explained that it sought retrospective planning permission for the erection of decking to the front and rear and a pergola to the rear plus installation of grassed areas to replace the gravel. Mr Dixon stated that the application had been brought before the committee due to an objection from Humberston Village Council. Mr Dixon said that a lot of work had taken place regarding the scheme. He said that officers had worked with the applicant on getting grass back onto the site. Mr Dixon said that the changes to the site followed the Humberston Fitties design guide. He said that the decking was low key. Mr Dixon stated that the council's heritage officer had not objected to the application and had welcomed the removal of some of the gravel. Mr Dixon said that the changes would not have a detrimental

impact on neighbouring chalets. Mr Dixon said that Humberston Village Council had objected to the application and had asked for more of the gravel to be removed and had cited concerns over lighting. Mr Dixon said that the lighting was proposed to be removed and that the gravel on the site had been reduced and replaced with grass. Mr Dixon said that the application was in accordance with policies 5, 22, 33 and 39 of the North East Lincolnshire Local Plan and was therefore recommended for approval with conditions.

Mr Newsum spoke as the applicant for the application. He said that he had bought the chalet in August 2022. He had inherited all issues mentioned within the application which was why the application was retrospective. Mr Newsum said that the decking was at the front and the back of the chalet, and the council's heritage officer was happy with the decking. Mr Newsum said that he had disconnected the safety lightning. He stated that if he wanted to put the lighting back in, then the heritage officer was happy with that. Mr Newsum said that the gravel had been reduced and that 60 percent of the site was now grass. He said that he had taken down the satellite disc which was in line with the Humberston Fitties design guide. Mr Newsum stated that the fence would be replaced with a picket fence. He asked for the committee to approve his application.

Councillor Lindley said that he had no problems with the application. He proposed that the application be approved.

Councillor Hasthorpe seconded the proposal to approve the application.

Councillor Holland said that he was pleased to hear that the applicant had worked with council's heritage officer.

The Chair said that he agreed with Councillor Holland.

RESOLVED – That the application be approved with conditions.

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

## **P.13 PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

The committee received plans and applications determined by the Director of Economy, Environment and Infrastructure under delegated powers during the period 2<sup>nd</sup> June – 29<sup>th</sup> June 2023

RESOLVED – That the report be noted.

## **P.14 PLANNING APPEALS**

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

RESOLVED – That the report be noted.

**P.15            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.16            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 2.45pm.