

Planning Committee Dated: 12th July 2023

Summary List of Detailed Plans and Applications

Recommendation: Approved with Conditions	
Item:	1
Application No:	DM/0104/23/FUL
Application Type:	Full Application
Application Site:	Thorpe Park Holiday Camp Anthonys Bank Road Humberston North East Lincolnshire
Proposal:	Retrospective installation of 2 no. 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 to include amended plan showing 2.5m high fence and site reconfiguration
Applicant:	Mr Gary Hosie
Case Officer:	Emily Davidson
Recommendation: Approved Limited Period	
Item:	2
Application No:	DM/0274/23/FUL
Application Type:	Full Application
Application Site:	124 Humberston Fitties Humberston North East Lincolnshire DN36 4EZ
Proposal:	Retrospective application for the demolition of existing chalet, erection of new detached single-storey chalet, erection of outbuilding and associated works (Amended Description and Additional Plans received 24th May 2023 to include details of outbuilding)
Applicant:	Mr Ray Crome
Case Officer:	Bethany Loring

Recommendation: Approved with Conditions	
Item:	3
Application No:	DM/0303/23/FUL
Application Type:	Full Application
Application Site:	The Hope Centre Hope Street Grimsby North East Lincolnshire
Proposal:	Erect single storey independent living facility
Applicant:	Mr Andrew Brown
Case Officer:	Jonathan Cadd
Recommendation: Approved with Conditions	
Item:	4
Application No:	DM/1022/22/FUL
Application Type:	Full Application
Application Site:	Anne Askew House South Marsh Road Stallingborough North East Lincolnshire
Proposal:	Variation of Condition 2 (Approved plans) pursuant to DM/0745/19/FUL - Variation of plans to include retaining wall to plot 1 and raise ground levels within the plot. (amended plans with additional 1.6m high boundary fence to the side of plot 1)
Applicant:	Mr Paul Silvester
Case Officer:	Richard Limmer
Recommendation: Refused	
Item:	5
Application No:	DM/0146/23/FUL
Application Type:	Full Application
Application Site:	12 Edge Avenue Grimsby North East Lincolnshire DN33 2DB
Proposal:	Retrospective application to retain tree house in garden and boundary fence with associated works
Applicant:	Mr Damien George
Case Officer:	Emily Davidson

Recommendation: Approved Limited Period	
Item:	6
Application No:	DM/0326/22/FUL
Application Type:	Full Application
Application Site:	299 Louth Road Grimsby North East Lincolnshire DN33 2LA
Proposal:	Change of use of residential outbuilding to beauty salon with amended access details (no plan changes, updated description to better reflect proposal)
Applicant:	Olivia Dobbs
Case Officer:	Emily Davidson
Recommendation: Refused	
Item:	7
Application No:	DM/1070/22/OUT
Application Type:	Outline Application
Application Site:	3 Kingsfield Farm Main Road Barnoldby Le Beck North East Lincolnshire
Proposal:	Outline application for the erection of 2 dwellings and associated works with all matters reserved (Amended Description and Plans received 22nd May 2023 to reduce dwellings to 2 and include pedestrian refuge points for the public right of way)
Applicant:	Mr & Mrs A West
Case Officer:	Bethany Loring
Recommendation: Refused	
Item:	8
Application No:	DM/0086/23/FUL
Application Type:	Full Application
Application Site:	The Limes Grimsby Road Laceby North East Lincolnshire
Proposal:	Retrospective erection of outbuilding for the use of commercial, chocolate making/ selling chocolates and deliver in-house educational and public chocolate workshops.
Applicant:	Mrs Tracy Clay
Case Officer:	Jonathan Cadd

Recommendation: Approved with Conditions	
Item:	9
Application No:	DM/0117/23/REM
Application Type:	Reserved Matters
Application Site:	Land North Of Main Road Barnoldby Le Beck North East Lincolnshire
Proposal:	Variation of Condition 1 (Approved Plans) following DM/1103/17/REM to revise layout and dwelling design to Plot 6
Applicant:	Mr Ashley Barnett
Case Officer:	Richard Limmer

Recommendation: Approved Conditions and signing of S106	
Item:	10
Application No:	DM/1222/21/FUL
Application Type:	Full Application
Application Site:	Land At Brigsley Road Waltham North East Lincolnshire
Proposal:	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 landscaping, amended layout to relocate footpath 72, various changes to dwelling designs across the site (see planning changes document dated 06.01.2022), (amended description and information information dated May 2023)
Applicant:	Mr Steven Ibbotson
Case Officer:	Richard Limmer

Recommendation: Approved with Conditions	
Item:	11
Application No:	DM/0270/23/FULA
Application Type:	Accredit Agnt - Hseholder application
Application Site:	83 Humberston Fitties Humberston North East Lincolnshire DN36 4EU
Proposal:	Retrospective planning permission for the erection of decking to front and rear and pergola to rear and installation of grassed areas to replace gravel
Applicant:	Mr Keith Newsum
Case Officer:	Becca Soulsby

PLANNING COMMITTEE - 12th July 2023

ITEM: 1 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0104/23/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: Thorpe Park Holiday Camp, Anthonys Bank Road,
Humberston, North East Lincolnshire, DN36 4GG**

PROPOSAL: Retrospective installation of 2 no. 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 to include amended plan showing 2.5m high fence and site reconfiguration

APPLICANT:

Mr Gary Hosie
Haven Leisure Limited
Thorpe Park Holiday Camp
Anthonys Bank Road
Humberston
North East Lincolnshire
DN36 4GG

DEPOSITED: 10th February 2023

AGENT:

Mr Ryan Barrett
Lichfields
3rd Floor
15 St Paul's Street
Leeds
LS1 2JG

ACCEPTED: 28th March 2023

TARGET DATE: 23rd May 2023

PUBLICITY EXPIRY: 7th July 2023

**AGREED EXTENSION OF TIME DATE: 17th
July 2023**

CONSULTATION EXPIRY: 22nd April 2023

CASE OFFICER: Emily Davidson

PROPOSAL

The proposal is to install 2 no. air handling units (AHU) 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. The works have been completed.

The application is presented to Planning Committee due to an objection from Humberston Village Council as well as the number of objections received.

SITE

Thorpe Park is an established holiday site located in Humberston and within the wider resort area which includes Cleethorpes as allocated in the North East Lincolnshire Local Plan. It is located close to the beach onto the Humber Estuary. To the east sits the Humberston Fitties.

RELEVANT PLANNING HISTORY

DM/1037/21/FUL - Redevelopment of outdoor activities area with associated landscaping, drainage and underground infrastructure (to include jump tower and jump bag, low ropes, climbing wall, containers, high ropes, security hut, cycle hire, tots play, sand pit, MUGA refurbishment, crazy golf, container bar with seating area, big play area, stage and giant screen, ranger station, activities hub, terrace area and trampolines) - Approved.

DM/1038/21/FUL - Extension and refurbishment of the Marina Show Bar with associated infrastructure, landscaping and drainage works. - Approved.

DM/0527/22/FUL - Retrospective redevelopment of an outdoor activities area with associated landscaping, drainage and underground infrastructure - Refused at committee.

DM/0369/23/FUL - Variation of Condition 2 (Approved plans) pursuant to DM/1038/21/FUL for revision to allow for alterations to footprint, external terraces and service yard, removal and relocation of roof lights, alterations to openings on south and west elevations, amendments to escape staircase to include replacement with escape ramp. - Approved.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF12 - Achieving well designed places

NPPF15 - Conserv. & enhance the natural environ.

NPPF16 - Conserv. & enhance the historic environ.

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO5 - Development boundaries

PO22 - Good design in new developments

PO39 - Conserve and enhance historic environ

PO41 - Biodiversity and Geodiversity

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under

the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Consultee Representations

Highways Officer - Approval, no conditions.

Drainage Officer - No comments.

Heritage Officer - No heritage input required.

Trees and Woodlands Officer - No comments.

Environment Agency - No comments.

Environmental Protection Officer - Requested noise impact assessment has been submitted and found to be acceptable. Further specifications requested and received of the AHU units and again found to be acceptable.

Ecology Officer - Noise assessment is acceptable and would not cause harm.

Humberston Village Council - Objects broadly on the grounds of noise impacts, vehicular access road location, location of works in relation to Humberston Fitties, poor design, enforcement issues should be sorted prior to any submissions and presumption that the works are part of a drip-feed approach for an outdoor sports bar, works should be carried out in off seasons.

Representations

Objections received from: -

North East Lincolnshire Borough: 1 Fannystone Road. 49 Robert Pearson Mews. 30, 56, 69, 85, 121, 129, 148, 185, 189, 201, 222, 251, 252, 253, 259, 263, 272, 277, 284, 310a, 313 Humberston Fitties.

Outside North East Lincolnshire Borough: 11 New Road, Derby. 156 Tudor Road, Flat 9, Victoria Gardens, London. 4 Clayfield Avenue, Mexborough. Turnbull, Newcastle. 7 Silver Street, Oakthorpe. 19 Wincroft Road, Reading. Jones Hill Wood, Wendover. St Leonards, Woodhall Spa, 9 The Green, Ashbourne.

Objecting broadly on the grounds of noise implications, location of works, sufficient information, the retrospective nature of the works, ecology and impact to the neighbouring conservation area.

APPRAISAL

Material Planning Considerations

Material Planning Considerations

1. Principle of Development
2. Design and Heritage
3. Neighbouring Amenity
4. Ecology
5. Other matters

Principle of Development

The proposal relates to the show bar area of the Thorpe Park holiday site which has recently been subject to investment, modification and alteration. The latest permission for this being DM/0369/23/FUL. These works have now been completed and the air handling units, service area and associated works serve this area. The whole holiday site is allocated as resort area in the North East Lincolnshire Local Plan 2018 under Policy 12.

As the works relate to an alteration to an existing entertainment building on the site the principle of the development is acceptable and it is the site specifics which need to be considered as outlined in the report.

Design and Heritage

The site is within the Thorpe Park complex area and in design terms the works relate well to the existing building being located where servicing and functional areas of the complex exist. The units are encased and the compound is enclosed by fencing. The development is connected to the large entertainment complex and complement its modern and somewhat functional design. Works of this nature are not uncommon on buildings of this kind. There are no design concerns in relation to the works being viewed from within this complex.

Overall Thorpe Park is adjacent to the Humberston Fitties Conservation Area. Policy 39 of the NELLP applies along with advice in the National Planning Policy Framework (NPPF) under section 16, Conserve and Enhance the Historic Environment. The requirements under Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area also apply. In this regard as stated above the works are well related in design terms to the existing building and are well screened and separated from the conservation area with views being minimal from the adjoining

site. The Council's Heritage Officer raises no issues in relation to the proposal. The character of the conservation area is preserved and the development is in accordance with Policy 22 and 39 of the NELLP 2018.

Neighbouring Amenity

A number of objections have been received in representations made and Humberston Village Council have objected. Various issues are raised. In relation to the cumulative impacts of several proposals being carried out at the site, each application is assessed on its merits but taking into account all proposals which may be pending or relevant. With regard to enforcement, investigations have taken place and has resulted in resolution of some matters including the recent approval for the amendments to the show bar under application DM/0369/23/FUL. This application also forms part of the resolution of issues. The application is retrospective but the planning system allows for such permissions and any application needs to be judged on its merits. Reference is made to the access track but this is an existing feature and it would not be reasonable to insist that the development only be constructed in a holiday close season.

As noted the site is bordered by the Humberston Fitties site. There is good separation of the works from the boundary of the site and a good landscaped strip. The works are well screened and there is no adverse impact from the physicality of the development in terms of massing and overshadowing. The service yard relates to an existing rear access and service area of the site and this is considered reasonable. Indeed the area of works is where there are already elements of extraction and ventilation and servicing for the existing complex which includes a swimming pool, holiday amenity areas and food and drink offerings. The main issue to consider is one of noise. To this end there has been full consultation and engagement with the Council's Environmental Health Officer. This has included consideration of the submitted Noise Impact Report and site visits and assessment. The conclusion of this assessment is that the air handling units do not and will not have an adverse impact on the amenity of any neighbours and the occupiers of the chalets on the Humberston Fitties. It is recommended that any approval be conditional to the noise reports submitted.

Having regard to the above the development is considered acceptable in relation to neighbouring amenity in accordance with Policy 5 of the NELLP 2018.

Ecology

There are no ecological issues in terms of the protected Humber Estuary. As stated above noise levels are acceptable for the neighbouring chalets. The protected Humber Estuary is further away and there will be no impact. The Council's Ecologist confirms this. The proposal is acceptable under Policy 41 of the NELLP 2018.

Other Considerations

There are no highway, flood risk, drainage or landscape issues with the scheme. The

Council's Highways, Trees and Woodlands, and Drainage Officers as well as the Environment Agency raise no concerns with the proposal.

CONCLUSION

The proposal does not negatively impact the area character or amenity of neighbouring sites. There has been detailed assessment and consideration by the Environmental Health Officer in relation to noise. The application is considered in accordance with Policy 5, 22, 39, and 41 of the NELLP 2018 and is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

The development is approved in accordance with the following plans:

Site Location Plan - 2124-TP-1000 C

Block Plan - 2124-TP-002 D

Block Plan - 2124-TP-1001 D

Existing Elevations A and B - 2124-TP-013 D

Existing Elevations C and D - 2124-TP-014 D

Existing Floor Plan - 2124-TP-001 C

Existing Roof Plan - 2124-TP-003 C

Proposed Elevations - 2124-TP-015 E

Proposed Elevations - 2124-TP-016 E

Proposed Floor Plan - 2124-TP-010 D

Proposed Roof Plan - 2124-TP-011 D

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 22, 39 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(2) Condition

The air handling units shall be as specified in the Rooftop Unit Package received 26/05/2023 and BAR AHU Acoustic Data, Chiller Noise Data, Stage AHU Acoustic Data received 23/05/2023 and shall thereafter be retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect the amenities of nearby accommodation in accordance with Policy 5 of the

North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

The proposal shall remain in accordance with the noise report received 28/04/2023 unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect the amenities of nearby accommodation and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

The 2.5m high fence around the service area as detailed on plan 2124-TP-002-Rev D and as recommended in the noise report received 28/04/2023 shall be retained at all times.

Reason

In the interests of local amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character, conservation area or neighbouring amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular Policies 5, 22, 39 and 41.

2 Added Value Statement

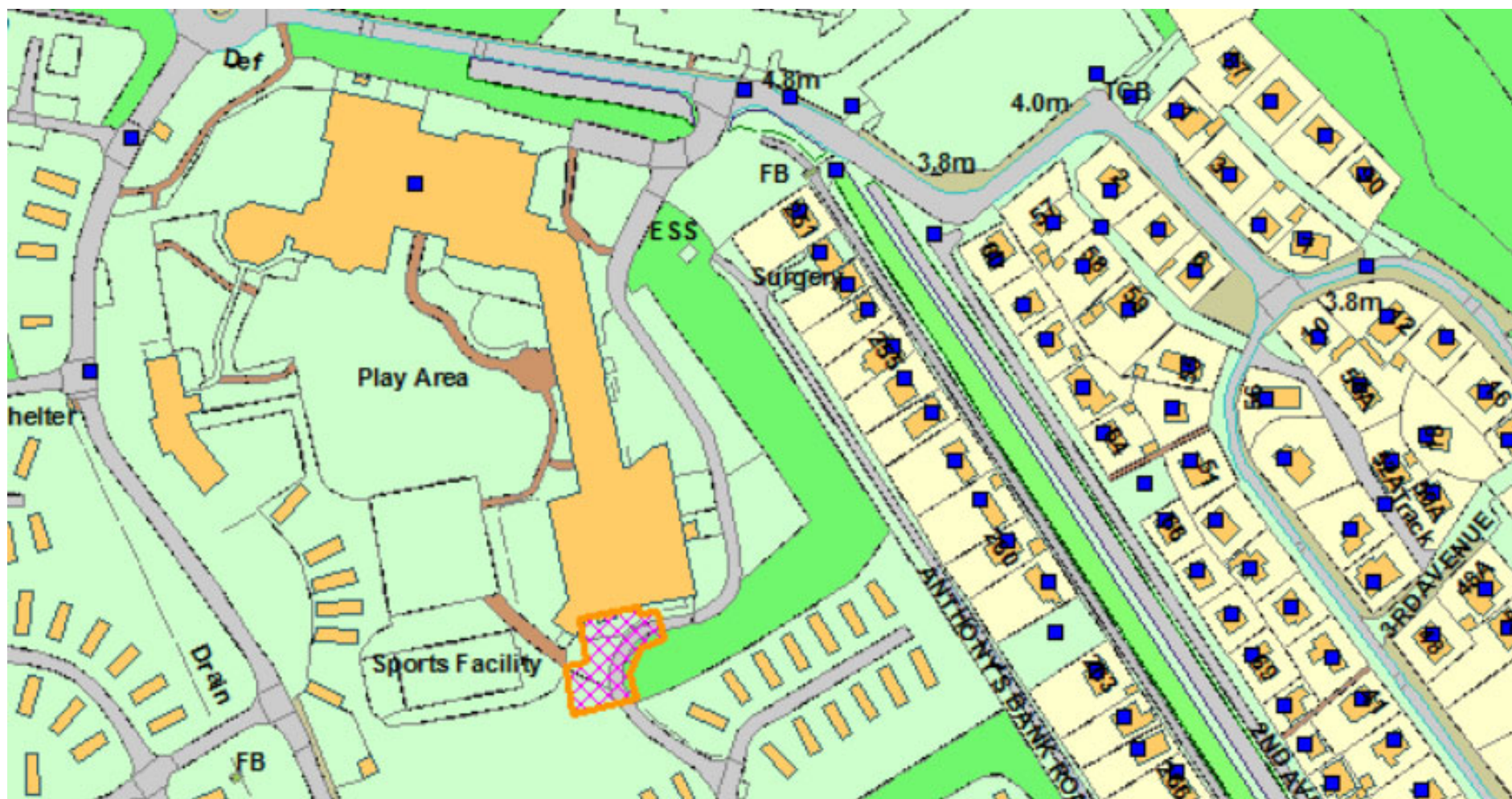
Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by ensuring proper assessment of the noise implications of the proposal.

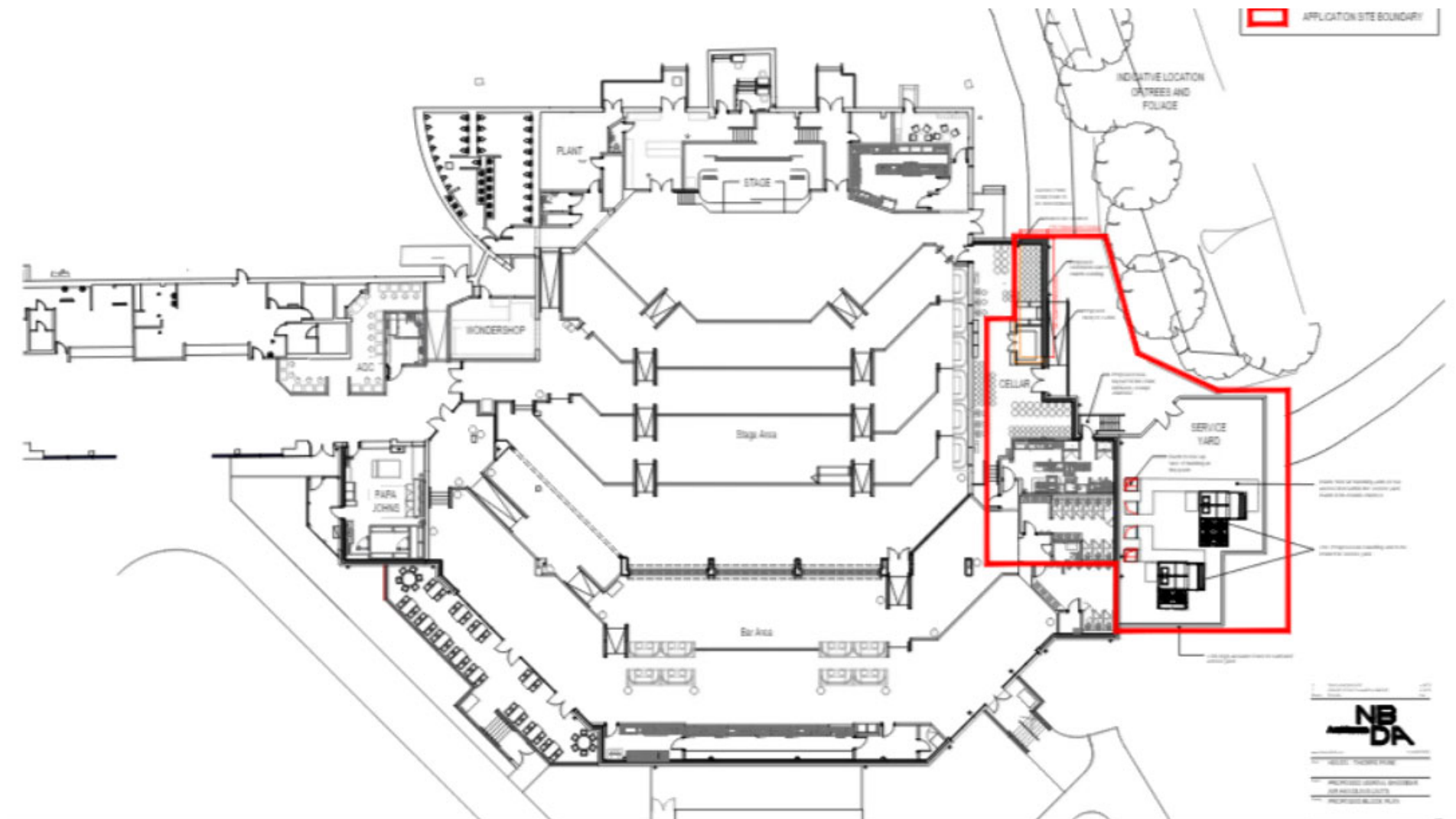
3 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

DM/0104/23/FUL – THORPE PARK HOLIDAY CAMP, ANTHONYS BANK ROAD, HUMBERSTON



DM/0104/23/FUL – THORPE PARK HOLIDAY CAMP, ANTHONYS BANK ROAD, HUMBERSTON



PLANNING COMMITTEE - 12th July 2023

ITEM: 2 **RECOMMENDATION: Approved Limited Period**

APPLICATION No: DM/0274/23/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 124 Humberston Fitties, Humberston, North East Lincolnshire, DN36 4EZ

PROPOSAL: Retrospective application for the demolition of existing chalet, erection of new detached single-storey chalet, erection of outbuilding and associated works (Amended Description and Additional Plans received 24th May 2023 to include details of outbuilding)

APPLICANT:

Mr Ray Crome
124 Humberston Fitties
Humberston
North East Lincolnshire
DN36 4EZ

AGENT:

Mr Alan Scoffin
Ross Davy Associates
Pelham House
1 Grosvenor Street
Grimsby
North East Lincolnshire
DN32 0QH

DEPOSITED: 27th March 2023

ACCEPTED: 28th March 2023

TARGET DATE: 23rd May 2023

PUBLICITY EXPIRY: 17th June 2023

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 23rd April 2023

CASE OFFICER: Bethany Loring

PROPOSAL

The application seeks retrospective permission to demolish the existing chalet, erect a new detached single-storey chalet, erection of outbuilding and associated works.

The application is brought to committee following numerous objections in representations made and from Humberston Village Council.

SITE

The proposal site is located within the Humberston Fitties holiday site which is a Conservation Area. The plot is now vacant following the demolition of the previous chalet. The property benefits from a grassed area with hardstanding. Fencing denotes the site boundaries. The Fitties itself has an eclectic mix of holiday homes and is located within the resort area of Cleethorpes and is close to the beach. 124 Humberston Fitties is located on First Main Road to the east of the park.

RELEVANT PLANNING HISTORY

DM/0436/22/FUL - Erect single storey rear extension to provide additional accommodation, install door to west elevation, replace roof and increase height at front, extend decking area and various internal and external alterations - Approved with Conditions

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF16 - Conserv. & enhance the historic environ.

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO5 - Development boundaries
PO12 - Tourism and visitor economy
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO39 - Conserve and enhance historic environ

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Drainage Team - Water butts acceptable.

Highways Team - Approval no conditions.

Heritage Officer - Confirms the loss of the chalet causes harm however concludes replacement is necessary.

Humberston Village Council - Objections and requests like-for-like replacement of the chalet and asbestos.

Environment Agency - Flood Risk Assessment, occupancy and 10 year temporary permission conditions and informative advice.

Environment Team - Hours of construction condition.

Trees and Woodlands - No comment.

Civic Society - Objects and states should be a replica and concerns over environmental issues.

Neighbour Representations

The following neighbours all object broadly on the grounds of demolition, heritage loss, conservation area, article 4, precedent, criminal offence, enforcement action, design, asbestos, tree removal, retrospective nature, no public benefit/value, landowner responsibility, inaccuracy of state of repair, contamination, health and safety, not in-keeping, disruption to wildlife, ownership

- 33 Fairfax Road (x2)
- 3 Humberston Fitties (x2)
- 10 Humberston Fitties
- 20 Humberston Fitties
- 32 Humberston Fitties (x2)
- 38 Humberston Fitties
- 69 Humberston Fitties
- 77 Humberston Fitties
- 85 Humberston Fitties
- 101 Humberston Fitties
- 185 Humberston Road
- 195 Humberston Fitties (x2)
- 218 Humberston Fitties (x2)
- 222 Humberston Fitties
- 228B Humberston Fitties
- 252 Humberston Fitties
- 253 Humberston Fitties (x2)
- 254 Humberston Fitties (x3)
- 300A Humberston Fitties
- 303 Humberston Fitties

- 310A Humberston Fitties (x2)
- 311A Humberston Fitties
- 313 Humberston Fitties
- 317A Humberston Fitties
- 320 Humberston Fitties
- 17 Lambert Road
- Mirwood, Fleet Street
- 36 Minshull Road (x2)
- 8 Muirfield Croft (x3)
- 14 Newlands Park
- 49 Robert Pearson Mews
- 23 Robson Road
- 9 The Green
- 12 Welholme Road

126 Humberston Fitties - Supports application.

APPRAISAL

The material planning considerations in this case are considered to be as follows:-

1. Principle of Development,
2. Design and Impact on the Character and Appearance of the Conservation Area,
3. Impact on Neighbours,
4. Flood Risk.

1. Principle of Development

This site is located within the resort area of Cleethorpes; therefore Policy 12 applies and within the Humberston Fitties Conservation Area as defined by Policy 39 of the Local Plan. These policy's do not preclude works of this nature in principle subject to the site-specific impacts discussed below. It seeks to retain a chalet at the site through the rebuild and continue its existing use in principle. Issues have been raised through representations received over the principle of replacing a chalet on the Fitties (those made by Humberston Village Council and in objections received). However, replacement chalets have been permitted on the Fitties and indeed constructed when justified. It is not the general default position but, in this case, it has been demonstrated, by means of a Structural Report, that the former existing chalet would not have been viable to bring back into a useable condition. It is noted that the original chalet was demolished prior to permission being sought but the planning system allows for retrospective permission and any application needs to be judged on its merits. Moreover, in terms of the principle of the development it must be acknowledged that the design and appearance of the chalet does follow the details granted permission for the refurbishment and extensions granted permission under the earlier permission DM/0436/22/FUL. This also ensures that the design is consistent with that approval and in keeping with other chalets and the character of the Fitties Conservation Area.

Having regard to the above it is considered that the principle of development is acceptable in accordance with Policies 5, 12, 22, 33 and 39 of the North East Lincolnshire Local Plan and sections 12, 14 and 16 of the NPPF and the next stage is the assessment of the site specifics.

2. Design and Impact on the Character and Appearance of the Conservation Area.

The unique character of the area is key when considering the design of the proposal. This character is recognised in its designation as a conservation area which is further protected by an Article 4 Directive. Policy 39 of the NELLP applies along with advice in the National Planning Policy Framework (NPPF) under section 16, Conserve and Enhance the Historic Environment. The requirements under Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area also apply and the Council has a design guide to aid the consideration of development on the Fitties.

The site adjoins other chalets within Humberston Fitties and is positioned along 'Main Road'. The design seeks to replicate the original chalet including the extension which was previously approved and therefore would be a similar replacement. Initial plans did not include the outbuilding, which is present on the site, and therefore this has been included. Furthermore, changes were sought to amend this aspect to ensure the design would be in line with the Design Guide and be sympathetic to the character of the area. This includes altering materials, reducing footprint and changes to the design.

In terms of the overall design the use of horizontal timber cladding, for the walls, and felt, for the roof, is fitting with the character of the Fitties and the proposal is in line with the Humberston Fitties Design Guide in terms of form, scale and materials used. The window and door openings would utilise painted timber with double glazing. There would be a raised timber decking, to the rear, with the existing driveway to the front and side. The existing grassed area would be retained including the majority of the existing trees and hedging however one tree to the frontage has been removed.

There has been close working with the Heritage Officer and negotiations with the applicant and the Heritage Officer has confirmed that the scheme is now acceptable in its design. The Heritage Officer does lament the loss of the original chalet as these are irreplaceable assets that have inherent character due to the time they have been in existence. However, it is agreed that a replacement chalet of the design proposed would now be the better outcome. As noted above there has been justification for the demolition due to the report submitted and this forms part of the balance of considerations.

All in all, it is considered that the proposal is acceptable in heritage and design terms in accordance with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan and sections 12 and 16 of the NPPF.

3. Impact on Neighbouring Properties

The host site adjoins 122 Humberston Fitties, to the north and 126 Humberston Fitties, to the south.

The proposed chalet would be a similar distance from the neighbouring properties to the north and south. There are windows proposed at ground floor to both sides, but this will not cause undue loss of privacy due to position and boundary treatments. The height would be slightly larger than the original, increased by 0.2 metres, however this was previously approved. The roof would be higher to the frontage sloping down towards the rear. The existing boundary treatments would soften the impact. The roof would be of a single pitch design which would be similar to that of the neighbour at 122. It is noted that the height would be increased to that of the existing however the increase is not considered to be detrimental to the amenity of the neighbouring chalets. The street scene elevation provided demonstrates how the chalet could be accommodated within the area without causing harm whilst remaining in-keeping. The neighbour at 126 Humberston Fitties has commented to state that they support the application. There is a considerable amount of separation between the host site and the properties to the east as well as sufficient screening. With this in mind, there would not be a negative impact in terms of overlooking, overshadowing or massing.

There have been a number of objections from neighbours, and these broadly relate to the nature of the retrospective application, unauthorised works, setting precedent, heritage and conservation concerns, asbestos, design and health and safety. Issues of principle and design have been addressed in the report. With regard to safety the site did include asbestos and reports have been provided to show that the asbestos has been removed from the site and done so by a licensed contractor and therefore done in a safe manner. The Councils Environmental Health Officer acknowledges this.

It is therefore considered that the development would not have a harmful impact on local amenity and therefore the proposal accords with Policy 5 of the North East Lincolnshire Local Plan.

4. Flood Risk and Drainage

The site lies within a high-risk flood zone as identified on the EA maps and the Councils Strategic Flood Risk Area. The Sequential and Exception tests are considered as per the National Planning Policy Framework (NPPF), the National Planning Policy Guidance (NPPG) and Policy 33 in the NELLP 2018. Starting with the Sequential test, it is important to note that the NELLP 2018 allocates this area as part of the defined resort area this supports resort type development including accommodation. The proposal also seeks a replacement of a chalet which very recently occupied the site for that purpose. As a result of this the Sequential test is considered to be passed. Turning to the Exceptions test the NPPF and NPPG note that some elements of the test (such as wider sustainability benefits under part A) need not be repeated for allocated sites unless elements of the

development that were key to satisfying the exceptions test at the plan-making stage have changed or are not included in the proposal or the understanding of the current or future flood risk has changed significantly. It is considered that there has been no significant change or omission in relation to either of these points.

Having regard to the above on flood risk grounds it is considered that there are no grounds for objection under the Sequential test or part 'A' of the Exception test. However, it still remains important under part 'B' of the Exception test and Policy 33 of the NELLP to consider the actual flood risk and whether the development can be made safe for its users. This assessment is supported by a Flood Risk Assessment. To understand and consider this, consultation with the Environment Agency has taken place.

Flood risk mitigation measures have been proposed which include raised floor levels to better protect the occupants in the event of an emergency, but the main mitigation is the recommendation to impose a more restrictive occupancy condition so that the chalet is not occupied during the most sensitive periods in terms of flood risk (namely 1st November in any year to the 14th March in the next). Other replacement chalets have also included a 10-year temporary period to allow a reassessment of flood risk at a future date in relation to the continuation of the actual development given that the site is east of Anthony's Bank which is an Environment Agency (EA) flood defence. There is a clear distinction between this site and those to the west of Anthony's Bank which are protected by an EA defence. These more restrictive conditions are justified as the previous chalet has been demolished and the proposal is a replacement thus commencing a whole new planning chapter for the site.

In terms of on-site drainage, the Drainage Officer has commented to state that water butts are acceptable. These have been detailed at a capacity of 210 litres, with two proposed, with overflow details provided. The works involve no change to existing ground levels.

Having regard to the above the development is considered acceptable under Policy 33 of North East Lincolnshire Local Plan and advice in the NPPF on flood risk.

CONCLUSION

The proposed chalet is of a reasonable size, scale and appearance and would not lead to any undue impacts on the neighbouring properties amenities or the character and appearance of the conservation area. Flood risk issues and design concerns have been addressed.

It is therefore in accordance with Policies 5, 22, 33 and 39 of the North East Lincolnshire Local Plan and sections 12, 14 and 16 of the NPPF and is recommended for approval.

RECOMMENDATION

Approved Limited Period

(1) Condition

The chalet shall be removed in its entirety and the land reinstated as a cleared site, on or before the 14th July 2033.

Reason

To enable the local planning authority to monitor the risk to human life and property from flooding and in accordance with Policies 5 and 33 of the North East Lincolnshire Local Plan and advice in the National Planning Policy Framework.

(2) Condition

The development shall be carried out in accordance with the following plans:

Site Location Plan - RD5389-03

Proposed Block Plan, Site Plan, Floor Plan and Elevations - RD5389-02A

Proposed Site Plan, Existing and Proposed Street Scene Elevations, Outbuilding Floor Plans and Elevations - RD5389-04D

Proposed Foundation Details and Elevations - RD5389-05

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 22, 33 and 39 of the North East Lincolnshire Local Plan.

(3) Condition

The chalet hereby permitted shall not be occupied between the 1st November in any year and the 14th March in the following year.

Reason

To ensure the holiday use of the chalet and that the property is not occupied at a time when flood risk from the sea is at its highest so as to reduce the risk to life during a flood event to accord to Policy 33 of the North East Lincolnshire Local plan 2013-2032 and advice in the National Planning Policy Framework.

(4) Condition

The proposed development shall be constructed using materials specified within the application form received on the 27th March 2023 and as stated on drawing nos. RD5389-02A and RD5389-04D unless otherwise first approved in writing by the Local Planning Authority.

Reason

This condition is imposed in the interests of design considerations in the context of the existing buildings in order to comply with Policies 5 and 39 of the North East Lincolnshire Local Plan.

(5) Condition

No construction work shall be carried out on or before 08:00 or after 18:00 Mondays to Fridays inclusive, before 08:00 or after 13:00 on Saturdays and at any time on Sundays or Bank Holidays.

Reason

To protect the amenities of nearby properties and in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) undertaken by undertaken by Ross Davy Associates (ref: RD5389) and the following mitigation measures detailed within the FRA:

- Finished floor levels to be set no lower than 500mm above the existing ground level
- Flood resilience and resistance measures to be incorporated into the proposed development

The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

Reason

To reduce the risk of flooding to the proposed development and future occupants and in accordance with policy 33 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

Prior to occupation of the chalet hereby approved, a final flood warning and evacuation plan shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the flood warning and evacuation plan shall be adhered to at all times following first occupation.

Reason

In the interests of flood risk and safety and to accord with policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(8) Condition

The development shall then be built out in accordance with the details provided on drawing no. RD5389-02A, specifically relating to water butts, at a capacity of 210 litres, with overflow details. The drainage methods shall be implemented prior to occupation and thereafter retained. There shall be no raising of the existing ground levels.

Reason

To prevent an increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the character of the conservation area or local amenity and is acceptable under all other planning considerations including flood risk. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 12, 22, 33, 34 and 39.

2 Informative

Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner by resolving matters of design and environmental issues.

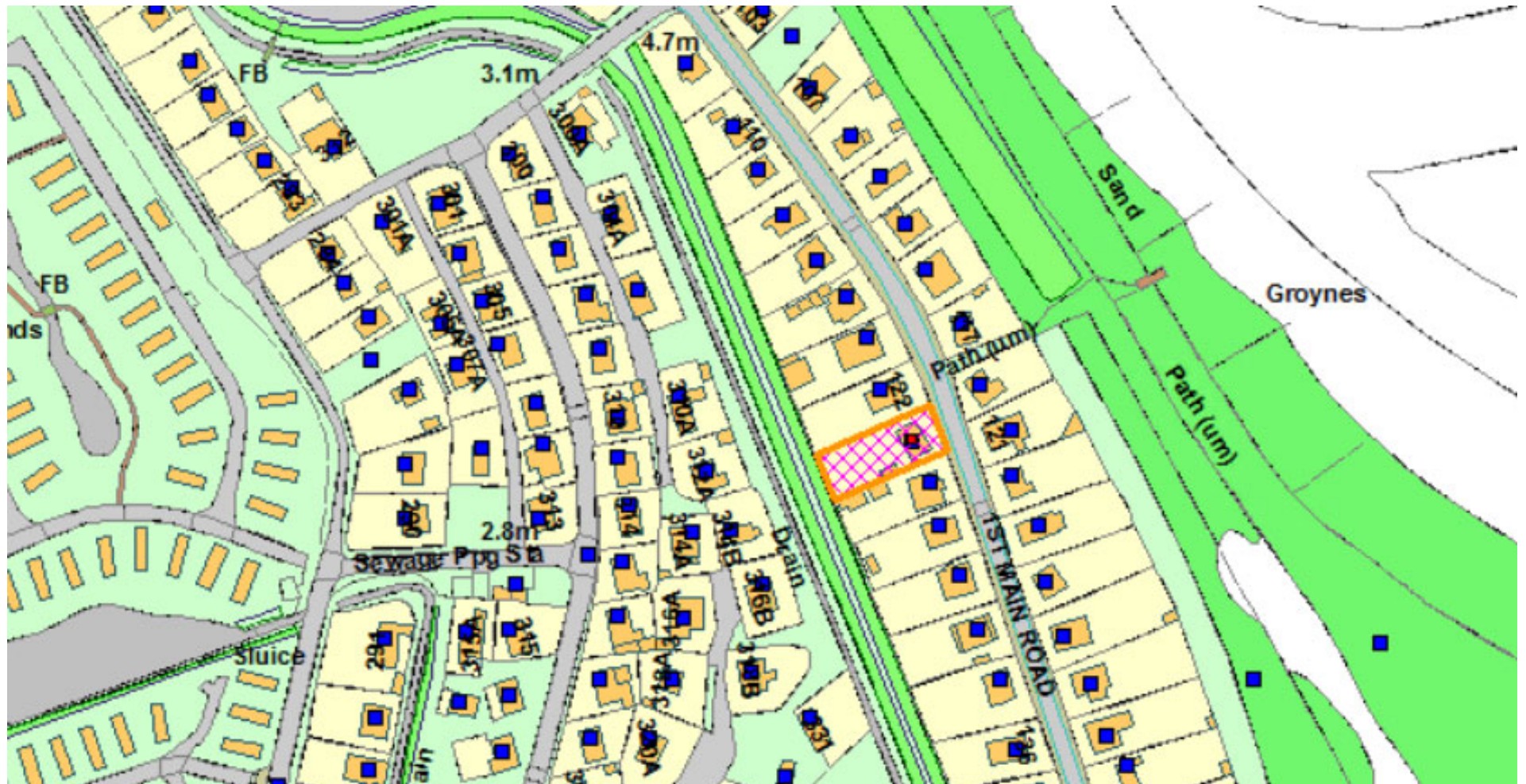
3 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

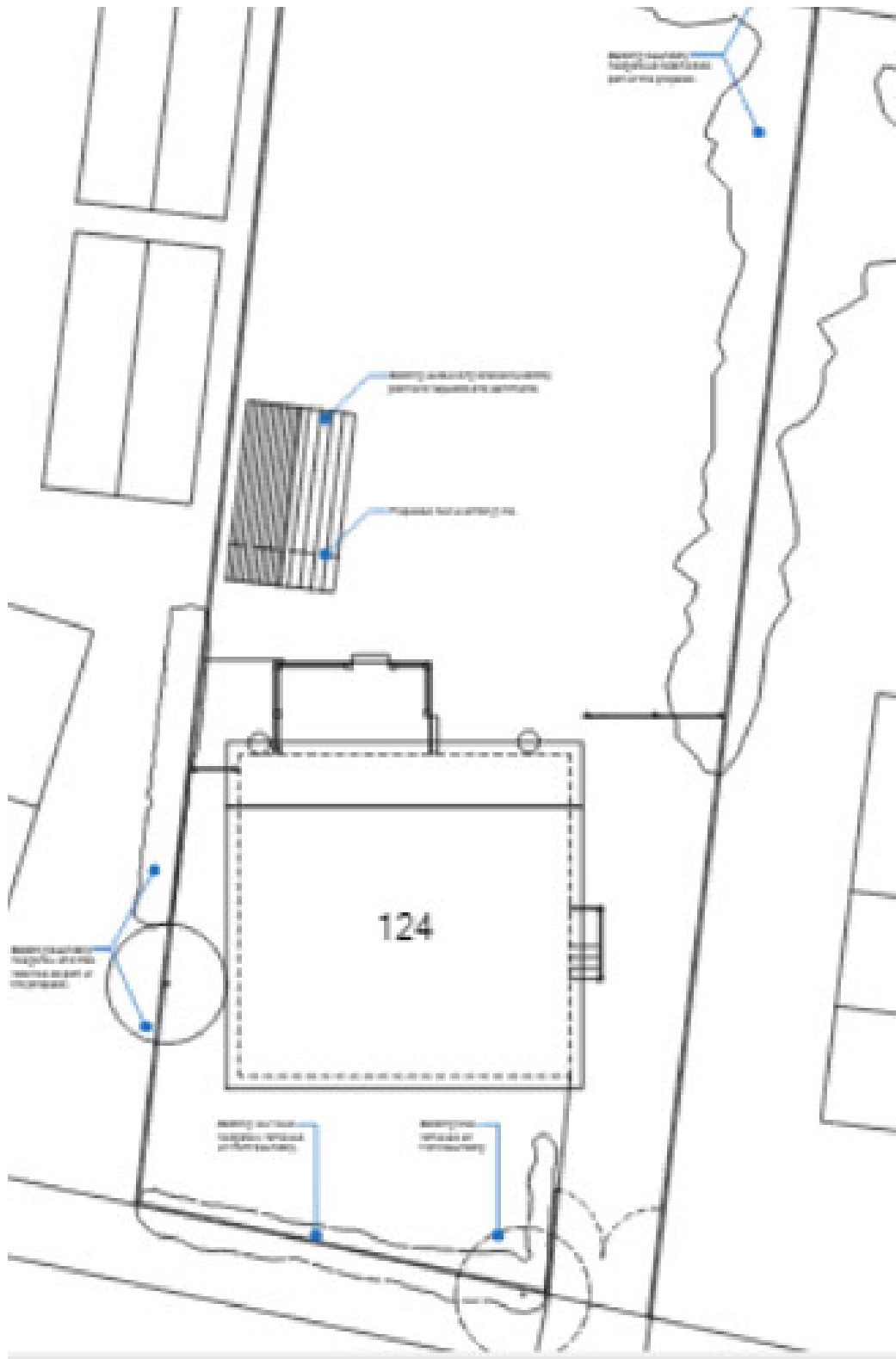
4 Informative

The applicant's attention is drawn to the comments made by the Environment Agency received on 18th April 2023.

DM/0274/23/FUL – 124 HUMBERSTON FITTIES, HUMBERSTON



DM/0274/23/FUL – 124 HUMBERSTON FITTIES, HUMBERSTON



PLANNING COMMITTEE - 12th July 2023

ITEM: 3 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0303/23/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: The Hope Centre , Hope Street, Grimsby, North East Lincolnshire, DN32 7QL

PROPOSAL: Erect single storey independent living facility

APPLICANT:

Mr Andrew Brown
Harbour Place Grimsby
The Hope Centre
Hope Street
Grimsby
North East Lincolnshire
DN32 7QL

DEPOSITED: 3rd April 2023

AGENT:

Mrs Jo Hodson
Mother Architects
20 The Marketplace
Caistor
Market Rasen
LN7 6TU

ACCEPTED: 3rd April 2023

TARGET DATE: 29th May 2023

PUBLICITY EXPIRY: 15th June 2023

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 27th April 2023

CASE OFFICER: Jonathan Cadd

PROPOSAL

This application seeks permission for a single storey detached building to form an additional move on facility to assist those found homeless within Grimsby. The building would be part placed within an existing landscaped area and part within a current car park at the site. Both areas currently form part of the Hope Centre, Hope Street, Grimsby.

This proposal seeks to create follow on accommodation for up to five people supporting them to gain the necessary skills to live independently. Occupants would stay at the premise for the medium to longer term (from a minimum of 6 months to several years) whilst gaining the appropriate skills and mechanisms to be able to move successfully to their own accommodation. The building would include five bedrooms with en-suites but also a communal cooking and sitting room area. The building would operate alongside

the current activities at the centre. No additional staff are envisaged.

The building would be rectangular in shape, constructed of brick and with a pitched roof. This structure would be 10 metres by 16 metres and have a maximum height to ridge of 7.1 metres. To gain access for those with disabilities, an access ramp would be formed to the front of the building. Due to flood risk issues the building would be raised up by 1m with a further 0.3 metres protected from flooding. In addition, a small raised garden terrace area would be formed.

The application has been brought to committee at the request of Councillors Aisthorpe and Beasant.

SITE

The application site is within the grounds of the Hope Street Centre (part of the Harbour Place homeless charity) a night shelter and advice centre located on the junction of Hope Street and Oxford Street. Access to the site is from Hope Street, and parking is available both on site and to Hope Street. Limited restricted parking is also available to Oxford Street.

The area has a mixed character with the site adjoining the vacant Mariners Rest pub, being opposite the Casablanca Club, and the Hope St Medical Centre, a number of vacant sites and further to the southeast Hope House a flat complex formed from the former fisherman's mission hostel. Further to the south beyond another vacant plot are residential areas.

The site falls within the development area of Grimsby but is otherwise undesignated within the NELLP.

The site is within flood zone 3.

RELEVANT PLANNING HISTORY

DM/0416/18/FUL Change of use from health centre (D1) to mixed use of a day centre (D1) and hostel/night shelter (Sui Generis). Approved 2018 - Conditions limiting overnight shelter for up to 15 occupants plus staff.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

- NPPF5 - Delivering a sufficient supply of homes
- NPPF8 - Promoting healthy and safe communities
- NPPF11 - Making effective use of land
- NPPF12 - Achieving well designed places
- NPPF14 - Climate, flooding & coastal change

NPPF15 - Conserv. & enhance the natural environ.

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO41 - Biodiversity and Geodiversity
PO3 - Settlement hierarchy
PO4 - Distribution of housing growth
PO5 - Development boundaries
PO6 - Infrastructure
PO16 - Provision-elderly person's housing needs
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO38 - Parking

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Cllrs Aisthorpe and Beasant: Request the application be considered by the planning committee due to the increase in Anti Social Behaviour and other related issues since Harbour Place has been located here.

Heritage Officer: No input required.

Environment Agency: Do not object subject to flood risk condition but also recommend a Flood Warning and Evacuation plan be agreed.

Highways: (in summary) Whilst recognising there will be a slight reduction in parking capacity it is unlikely to affect the safety and capacity of the surrounding road network due to the occupants being unlikely to have cars and levels of staff at the site. Also it is located in a moderately sustainable location reducing the likelihood of needing a car to access local amenities. Seeks, however, a construction traffic management plan.

Environmental Protection: Request working hours but also details of mechanical ventilation system to rooms facing the Mariners pub and 2.4m high acoustic fencing. Details of soundproofing are acceptable, however.

Drainage: Surface water drainage condition.

NE Lindsey Drainage Board: No comments.

Police: Awaiting final comment.

Site Notices/ Neighbours:

1 Hope House, Hope Street
19 Hope House, Hope Street
Letter signed by 25 flats at Hope House.

Objections in summary

- Increase in noise.
- Increase in anti social behaviour following being kicked out of centre (sleep in neighbours doorways, abuse residents of Hope House, swear and use adjoining gardens).
- Drug use increase.
- Area is seen as just an area to place people with problems, trouble makers and drug dealers - too much this would not be tolerated in other areas.
- Vulnerable people live in surrounding area too, they are frightened to go out.

APPRAISAL

Main issues

- 1) Policy issues
- 2) Design and character
- 3) Residential amenity
- 4) Highway safety and parking
- 5) Drainage and flood risk

1) Policy issues

The application site is located within the development area of Grimsby and is deemed a suitable location for residential accommodation in accordance with policy 5 of the NELLP. The nature of the development is such that it provides a level of specialist medium to longer-term follow-on accommodation for five homeless people, as opposed to simple overnight accommodation, which Harbour Place provides now. In providing this accommodation, the residents will be given a level of training and support to assist them to develop skills needed to support a future independent life, reducing the likelihood of them becoming homeless again. Intended residents could have suffered trauma, have dependency issues or mental health issues which make current accommodation options within the town less than suitable. The provision of specialist accommodation is dealt with through policy 16 of the NELLP, which although focusing on elderly accommodation, also deals with accommodation for those with specific needs. Policy 16, in particular looks, for

confirmation of the need for such accommodation. The level of use of the current Hope Street operation provides clear justification for its existence. In addition to this, the Council Plan 2023 - 2026 and the Health and Wellbeing Strategy 2020 (Final Draft) also outline the need for follow on accommodation to support the homeless within NE Lincolnshire.

The policy also requires an assessment of the impact of the use on the local environment and the character of the area to be undertaken. Such proposals should not result in an undue concentration of such provision within an area. This is one of the main concerns for objectors to the scheme. The impact on the surrounding area will be considered below in detail but it is not considered that the proposal would lead to an undue concentration of such uses in the local area as it provides a relatively small extension to an existing operation at the site but also, unlike the existing use, provides a more supported and longer term form of accommodation. So would not lead to extra people seeking accommodation each night, which forms another of the main areas of concern for local residents. Although not providing the same specific service to the homeless as the proposal, it is recognised that accommodation is located within the wider area (YMCA and Salvation Army) on Eleanor Street and Freeman Street for those found without accommodation. These facilities though are considered to be sufficient distance away from the site so as not to impact in combination with the immediate area of Oxford Street and Hope Street. As such subject to detailed consideration of the impact on the area, the use is considered to accord with policies: 3, 5 and 16 of the NELLP.

2) Design and character

The building proposed would be a traditional brick pitch roof building which would accord with the character of the current Hope Street centre. Its position forward of the building would not be out of character with the area and would sit roughly in line with the former Mariners pub next door. The site boundary adjoining the Mariners pub includes a high wall/ fencing which would provide screening of the building should the pub reopen. Subject to approval of materials it is considered the proposal would adhere to policies: 5 and 22 of the NELLP.

3) Residential amenity

The site, as noted above, is located within a mixed used area where there are a number of vacant plots. The building would be located within part of the site currently used as a garden and car park. The closest neighbour would be the vacant Mariners pub to the west. This building is vacant and boarded up. It is known that several community groups are involved in this adjoining site, and it may not therefore re open as a public house. Nevertheless, the use remains extant in planning terms, and it could reopen. The area closest to the application site is used as the smoking area for the public house and could cause noise nuisance to future residents. The environmental protection officers have not raised an objection but have requested the rooms facing the pub be sound proofed and mechanically ventilated. At the time of writing details had been provided but the scheme of mechanical ventilation had not been agreed. Similarly, to protect the proposed amenity areas the boundary wall/ fence would be bolstered with acoustic 2.4m high fencing to further protect residents. Conditions are recommended along with ones to ensure that

bathrooms are suitably obscure glazed.

Many of the residents' concerns within the area centre on homeless people congregating within the area seeking accommodation for the night. This has led to a number of incidents of antisocial behaviour and the concerns and frustrations are understood. The applicant accepts that on occasion that there have been incidents, occupiers of the shelter can have mental health and dependency issues, but that staff have dealt with these issues with police attendance only necessary once in 2023 so far. In addition to this, post covid the number of spaces at the unit have remained at 12 and this is unlikely to change in the near future. Nevertheless, the proposed unit is different in that it provides medium to long term accommodation for just 5 residents so would not increase the number of people queuing each night for somewhere to sleep. As such it is more akin to a standard form of accommodation than the current night shelter operation at the site and will not generate additional facilities people generally arriving at the property require each night as they would already live on site. The Police have been contacted but have not yet fully responded, at the time of writing, but the applicant notes the required co-operation between the charity and the police on homeless matters in general which allows site specific issues to be raised quickly between the parties if necessary.

It is considered that subject to conditions, the amenities of existing and future occupiers would not be adversely affected in accordance with policy 5 of the NELLP.

4) Highway safety and parking

The proposal would not include any additional access points to the highway and as such highway capacity and safety would be maintained in this respect. The proposed access ramp would, however, reduce down the area of the car park slightly to 12 spaces and would require cars to alter slightly their direction when entering the leaving the site. Given that future residents are unlikely to own vehicles and current staff numbers are a maximum of six at any one time this is not deemed to be unreasonable.

The access ramp and building would extend into the car park, but this would not reduce access nor manoeuvrability to a significant degree. The highways team have not objected to the scheme, despite recognising there is a limited potential for increased on street parking, but this is not deemed to be a significant issue.

The site is also close to numerous facilities and shops within walking distance including a medical centre, Aldi and Freeman Street Market aiding the ability of residents to live sustainably.

The proposal would accord with policies: 5, 36 and 38 of the NELLP in this regard.

5) Drainage and flood risk

The site is located within flood zone 3 and residential accommodation is classified as more vulnerable. In terms of the sequential test, the proposal would be connected to and share resources within the night shelter in terms of staff and various facilities. As such it cannot be desegregated and has to be located on this site. The sequential test is

therefore passed. The applicant has raised floor levels to 1m above ground level with demountable boards allowing the development to be considered safe for the life time of the development in terms of flood risk. The Environment Agency has not objected to the scheme subject to the Flood Risk Assessment being implemented and a flood warning and evacuation plan being submitted and approved. As such the proposal would accord with policies: 5 and 33 of the NELLP.

The site would generate surface water drainage and as a result conditions are recommended to agree a sustainable drainage scheme. This accords with advice from the drainage team and ensures compliance with policy 34 of the NELLP.

CONCLUSION

The proposed development would provide an additional residential facility for homeless people within Grimsby but in the form of medium to long term accommodation to assist a small number of more vulnerable occupants who would be unable to cope with independent living immediately enabling them to receive support and guidance to allow them to move on, in time, to private accommodation on their own. This type of accommodation is a known requirement in the borough.

The building is linked to the current night shelter and would share staff and some facilities. The design would not appear out of keeping with the area and subject to conditions re materials would accord with the character of the area.

Residential amenity of future occupants would be protected through noise mitigation measures and by association any future reopening of the adjoining pub. The amenity of existing occupiers and the issues raised by residents are noted but the scheme represents a different type of use to the current night shelter and indeed it is a small scale operation, so would have limited additional impacts on the area in terms of the issues raised.

Highway safety and parking would not be negatively impacted upon and the proposal would, subject to conditions, be deemed safe in terms of flood risk.

The proposal would therefore accord with policies: 5, 16, 22, 33, 34, 36 and 38 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018).

RECOMMENDATION

Approved with Conditions

(1) Condition

The development hereby permitted shall begin within three years of the date of this permission.

Reason

To comply with S.91 of the Town and Country Planning Act 1990.

(2) Condition

Development shall not exceed damp course level until details of all external materials to be used in construction of the building have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.

Reason

To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area and in accordance with policies: 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

No development shall commence until a scheme for the provision of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall be implemented before the building is first brought into use.

Reason

To prevent an increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and in accordance with policies: 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

No machinery shall be operated, no process shall be carried out and no deliveries to be taken in or dispatched from the site in connection with the construction of the development hereby approved outside the hours of 8.00 am to 6.00 pm Monday to Friday, 8.00 am to 1pm Saturday and not on Sundays or Bank Holidays or any other time unless agreed in writing with the Local Planning Authority.

Reason

To protect the amenities of nearby residents and in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) Condition

The development shall be completed in strict accordance with the sound proofing measures shown on drawing nos. 020/0182 (23/06/2023) before the building is first brought into use and shall be retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.

In addition to this, before the building is first occupied details and the location of an acoustic fence (of no less than 2.4m in height along the western boundary of the site adjoining the property currently known as the Mariners Pub) shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be erected in full before the building is first occupied and shall be maintained and retained as such thereafter.

Prior to the development exceeding damp course level, details of mechanical ventilation for all rooms to the western side of the building hereby approved shall be submitted to and approved in writing with the Local Planning Authority. The approved scheme shall be implemented in strict accordance with the agreed details prior to the building being first occupied and shall be retained as such thereafter, unless otherwise agreed in writing with the Local Planning Authority.

Reason

To protect residential amenity and the viability of a local facility in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition

The windows to the bathrooms shall be glazed in obscure glass (Pilkington Glass level 5 of equivalent) and permanently fixed before the development is first occupied and shall be so retained thereafter.

Reason

To protect the residential amenity of future residents and users of the adjoining property and in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(7) Condition

The building hereby approved shall only be occupied by a maximum of 5 residents in the form of medium to long term supported communal living in conjunction with the adjoining Harbour Place/ Hope Street Night Shelter. The building shall not be used as a night shelter.

Reason

To maintain the amenities of adjoining occupiers and to meet a specific housing need in accordance with policies: 5 and 16 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(8) Condition

No works related to the development hereby approved shall begin until a Construction Management Plan (CMP) including Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The

CMP/CTMP should include, but not be limited to the following:

1. Contact details of the person with responsibility for the implementation of the CTMP;
2. The expected number, types and size of vehicles during the entire construction period;
3. The proposed daily hours of operation during the construction period;
4. Details of on-site parking provision for construction related vehicles;
5. Details of on-site storage areas for materials, if required;
6. Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-booking scheduling system), if required; and
7. Details of wheel washing facilities (locations, types etc.).
8. Measure to reduce dust, noise and nuisance during construction.

In addition to this, there shall be no burning on site and no amplified music.

Once approved, the CTMP shall be adhered to at all times during construction.

Reason

To ensure adequate access facilities are provided during construction and to maintain highway safety and to protect residential amenity and in accordance with policies: 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(9) Condition

Prior to the development exceeding damp course level, a detailed Flood Warning and Evacuation Plan shall be submitted to and agreed in writing with the Local Planning Authority. Once approved the plan shall be maintained and updated on at least a bi annual basis to ensure advice is up to date. The use shall only operate in strict accordance with the plan.

Reason

To reduce the risks from flooding and to allow adequate evacuation in the event of a catastrophic flood event and in accordance with policies: 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(10) Condition

The development shall not be carried out except in complete accordance with the approved plans and specifications. The approved plans have drawing nos.

001/0812 Site Location and Block Plan

020/0182 (23/06/2023) Proposed Plan and Elevations

030/0182 Proposed Block Plan (Floor Layout Plan)

031/0182 Proposed Block Plan (Roof Plan)

Flood Risk Assessment Harbour Place March 2023 (by Rob Lobley Consulting)

Reason

To ensure the development is in accordance with the approved details and results in a satisfactory form of development and in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity, would not represent unreasonable risk from flooding and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies: 5, 16, 22, 33, 34, 36 and 38 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

2 Added Value Statement

Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, increasing soundproofing to limit impact on local amenities and vice versa.

3 Informative

The applicant's attention is drawn to the fact that the requirements of the Party Wall Act may apply and you should seek advice from your agent or suitably qualified person.

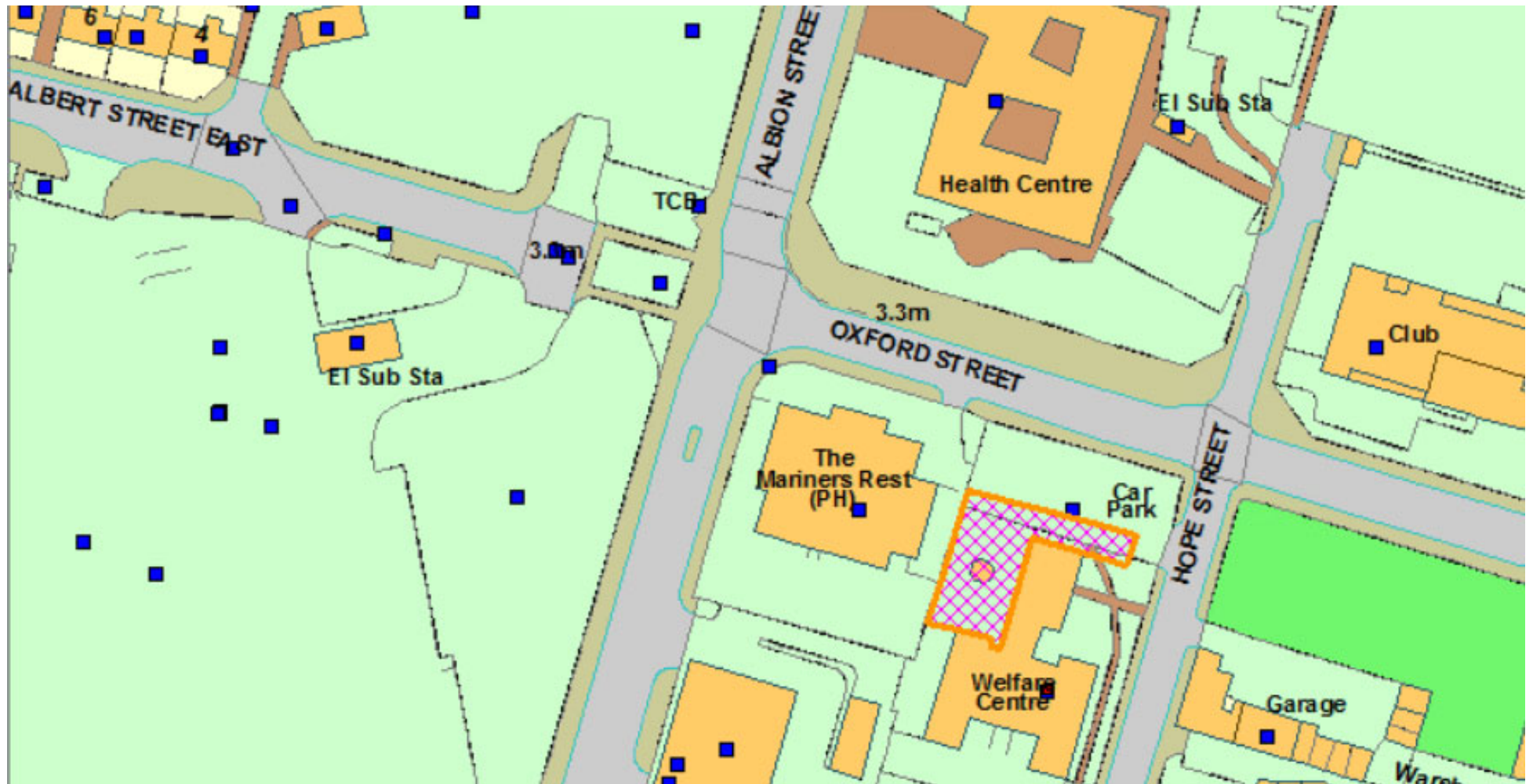
4 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

5 Informative

Please note the Environment Agency's informal advice including the recommendation that the future occupants phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>.

DM/0303/23/FUL – THE HOPE CENTRE, HOPE STREET, GRIMSBY



DM/0303/23/FUL – THE HOPE CENTRE, HOPE STREET, GRIMSBY



PLANNING COMMITTEE - 12th July 2023

ITEM: 4 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/1022/22/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: Anne Askew House , South Marsh Road, Stallingborough,
North East Lincolnshire, DN41 8BE**

**PROPOSAL: Variation of Condition 2 (Approved plans) pursuant to DM/0745/19/FUL
- Variation of plans to include retaining wall to plot 1 and raise ground levels within
the plot. (amended plans with additional 1.6m high boundary fence to the side of
plot 1)**

APPLICANT:

Mr Paul Silvester
Foresight (North East Lincolnshire)
60 Newmarket Street
Grimsby
North East Lincolnshire
DN32 7SF

AGENT:

Mr Dieter Nelson
Dieter Nelson Planning Consultancy
Unit 2, Cleethorpes Business Centre
Jackson Place
Wilton Road
Humberston
Grimsby
North East Lincolnshire
DN36 4AS

DEPOSITED: 18th November 2022

ACCEPTED: 9th December 2022

TARGET DATE: 3rd February 2023

PUBLICITY EXPIRY: 19th May 2023

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 5th January 2023

CASE OFFICER: Richard Limmer

PROPOSAL

The proposal is a retrospective application to vary the approved plans under DM/0745/19/FUL for the erection of two dwellings to include a 1m retaining wall on the western boundary of plot 1 and to raise the levels within the garden area of the dwelling. The proposal also includes a 1.6m high fence adjacent to the north west boundary.

The application has been brought to Planning Committee due to an objection from Stallingborough Parish Council, neighbour objections and that the applicant is Foresight in which Cllrs Sylvester and Shepherd have an interest.

SITE

The site is located on the south eastern side of South Marsh Road on the edge of Stallingborough. The site forms part of an existing residential site known as Anne Askew House. Large amounts of landscaping exist within the site and some have Tree Preservation Orders. Surrounding the site are residential properties on South Marsh Road and open space to the south east. The site has no specific allocation in the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and lies approximately 1km away from the Stallingborough Local Centre.

RELEVANT PLANNING HISTORY

DM/0745/19/FUL - erect 2 dwellings with parking etc.. - approved

DM/0923/21/CND - discharge of conditions attached to DM/0745/19/FUL - approved

DC/1190/06/IMM - Outline application for proposed housing development to include layout and access demolish existing dwelling. Refused 24.01.2007.

DC/915/07/IMM - Proposal extension to existing home and provision of new bungalows. Refused 08.11.2007.

DM/0243/18/FUL - Erect four detached bungalows with integral garages with associated access, parking, boundary treatments and landscaping and alterations to site entrance and car parking to Anne Askew House. Refused 14.09.2018.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF5 - Delivering a sufficient supply of homes

NPPF14 - Climate, flooding & coastal change

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO22 - Good design in new developments

PO33 - Flood risk

PO5 - Development boundaries

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless

material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Drainage Officer - A concern as to the raising of ground levels is noted in principle though in this case it is accepted that the ground level raising is limited to what is practically needed to accommodate the finished floor levels required by condition 4. Therefore, on balance there is no objections to the condition variation.

Trees Officer - no objections

Drainage Board - no objections

Environmental Health - no objections

Environment Agency - no objections subject to the condition for the flood risk assessment being maintained

Highways Officer - no objections

Heritage Officer - no objections

Stallingborough Parish Council - objection due to the impact on neighbours and outstanding enforcement issues.

Neighbours

2, 4, 6 South Marsh Road, 138 Station Road:

These neighbours object due to impact on their privacy and flood risk and that the developer has done the works without planning permission and consider that there has been a lack of enforcement action on the site.

APPRAISAL

Planning Considerations

1. Principle of Development
2. Impact on Neighbours
3. Drainage

1. Principle of Development

The principle of the development has been established by the granting of full planning permission under DM/0745/19/FUL. This application seeks to vary the approved plans and does not question the principle of the development. It is noted that the dwellings have now been constructed. The levels within the site have been raised to tie the garden into the house as the finished floor levels have been raised as a requirement of the Flood Risk Assessment. This has resulted in a 1m retaining wall being required along the north western boundary adjacent to the rear boundaries of 2 and 4 South Marsh Road. There has also been a 1.6m boundary fence erected within the site boundary but on top of the 1m retaining wall. Policy 5 of the NELLP allows for such changes in principle but subject to the site specific impacts which are discussed in the report below.

2. Impact on Neighbours

The increase in the levels has resulted in a retaining wall being required along the boundary to keep the land secure. There is a 1.8m high fence along the boundary but due to the raise in levels this is in effect a 0.8m high boundary which does not offer the neighbours the same level of privacy. To address this issue the applicant has installed an additional 1.6m high fence within the site boundary. This additional fence improves the privacy to the neighbours but does in effect result in a 2.6m high boundary fence to the neighbours. Whilst this height of boundary fence is unusual it is set on the rear boundary of the neighbours and whilst visible to the neighbours provides privacy and it is not considered that it causes undue massing or dominance. It is therefore considered that the proposed amendments to the approved scheme are acceptable and in accordance with Policy 5 of the NELLP.

3. Drainage

The development has been built out to the requirements of the Flood Risk Assessment, in particular the finished floor levels of 4.25m AOD. The approved plans showed the external land levels being sloped down steeply to then meet the existing ground levels. In building out the development the approved arrangements has been changed to create a safer and more user friendly environment. Neighbours have raised concerns about how this change has affected the drainage of the area. The Drainage Officer has reviewed the information and situation on the ground and has confirmed that the changes would not increase the risk of flooding off the site and is acceptable. The proposal therefore accords with Policy 33 of the NELLP.

CONCLUSION

In conclusion, it is considered that the proposed amendments to the approved scheme are acceptable and do not lead to an unacceptable impact on the neighbours' residential amenities or flood risk in accordance with Policies 5 and 33 of the NELLP. It is therefore recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

The development shall be carried out in accordance with the following plans:

Proposed Site Plan - 563-19-02C

Site Location Plan and Block Plan - 563-19-06C

Tree Protection and Service Trench - 563-19-06A

Existing and Proposed Site Sections - 563 19 05A

Proposed Plans and Elevations - 563 19 01C

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with policies 5, 17, 22, 33, 34, 38 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(2) Condition

The development shall be carried out in accordance with the surface and foul water drainage details approved under DM/0923/21/CND.

Reason

This condition is imposed to prevent the risk and impact of flooding and in accordance with policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition

The development shall be carried out in accordance with the submitted flood risk assessment (RM Associates July 2019 Version 1) and the following mitigation measures it details:

- Ground finished floor level to be raised to 1.0m above existing ground level of 3.25m above Ordnance Datum
- Flood resilient construction to be incorporated to 300mm above finished floor level
- External doors to be 'Stormguard' or equivalent flood proof doors
- Both dwellings to be two-storey

The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place for the lifetime of the dwellings.

Reason

To reduce the risk of flooding to the proposed development and future occupants in accordance with policy 33 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

The development shall be built out in accordance with the Construction Traffic Management Plan and the Construction Management Plan approved under DM/0923/21/CND.

Reason

To ensure adequate access facilities are provided during construction, and for highway safety reasons in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(5) Condition

No demolition or construction work shall be carried out on or before 08:00 or after 18:00 Mondays to Fridays inclusive, before 08:00 or after 13:00 on Saturdays and at any time on Sundays or Bank Holidays.

Reason

To protect the amenities of nearby residents in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(6) Condition

The development shall be built out in accordance with the Water Use Calculations approved under DM/0923/21/CND.

Reason

To ensure the efficient use of water and to accord with Policy 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

The development permitted by this planning permission shall be constructed in accordance with the approved Arboricultural Report dated 3rd December 2019, from Engie Arboricultural Consultancy, and the Proposed Tree Protection and Service Trench drawing (563-19-06A), in particular the tree protection methods. The mitigation measures shall be fully implemented and retained at all stages during the construction period.

Reason

To ensure a satisfactory appearance and setting for the development and protection of

existing features in the interests of local amenity in accordance with policy 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(8) Condition

The development shall be built out in accordance with the external construction materials approved under DM/0923/21/CND.

Reason

To ensure the development has an acceptable external appearance, is in keeping with the visual amenity of the area and accords with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Informatives

1 Informative

This application will require the creation of new postal addresses. You are advised to contact the Street Naming & Numbering Team on 01472 323579 or via email at snn@nelincs.gov.uk to discuss the creation of new addresses.

2 Informative

The applicants attention is drawn to the fact that the requirements of the Party Wall Act may apply and you should seek advice from your agent or suitably qualified person.

3 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

4 Reason for Approval

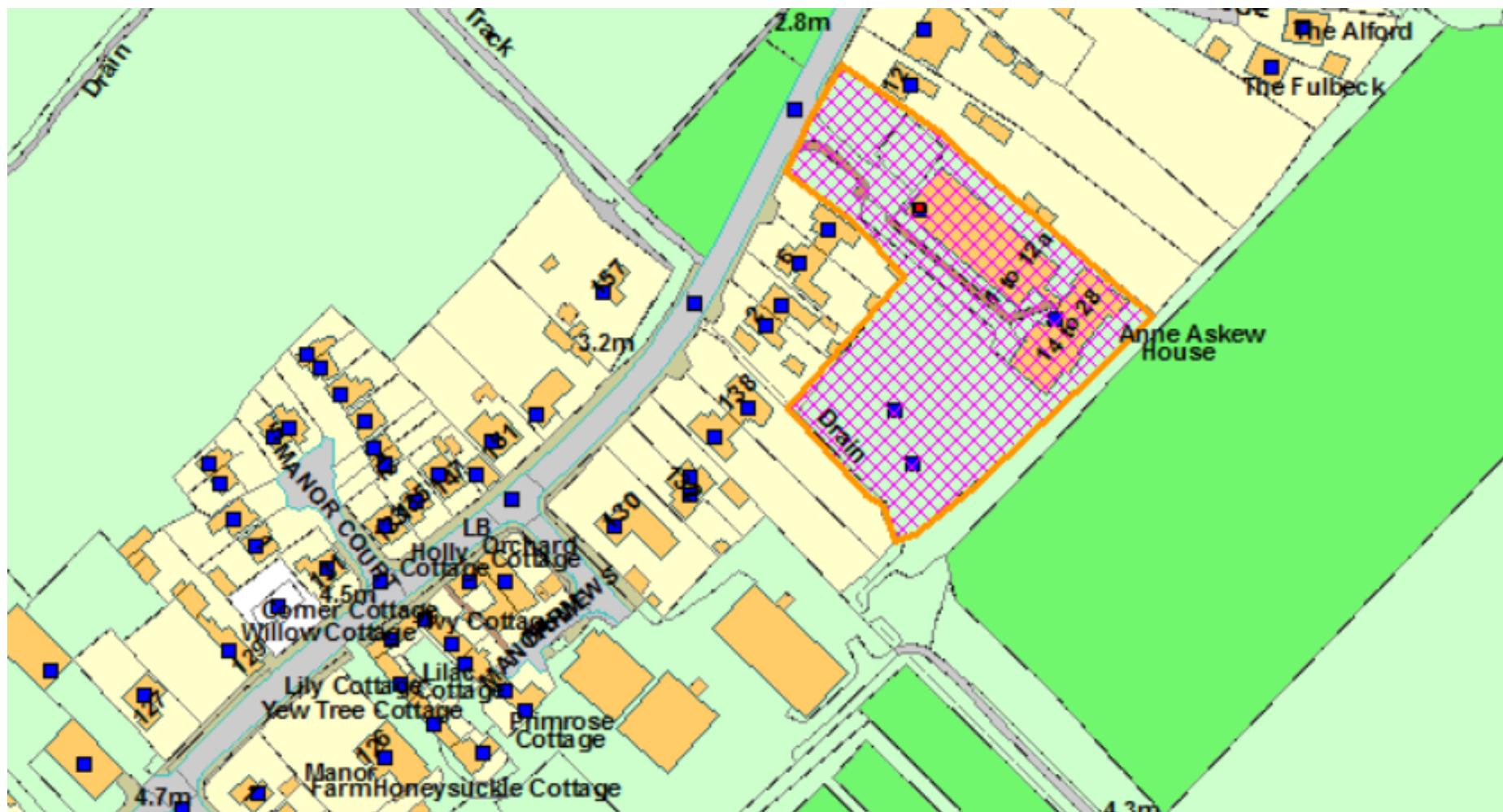
The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 33 and 42..

5 Added Value Statement

Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by negotiating with the applicant over issues.

DM/1022/22/FUL – ANNE ASKEW HOUSE, SOUTH MARSH ROAD. STALLINGBOROUGH



DM/1022/22/FUL – ANNE ASKEW HOUSE, SOUTH MARSH ROAD. STALLINGBOROUGH



PLANNING COMMITTEE - 12th July 2023

ITEM: 5 **RECOMMENDATION: Refused**

APPLICATION No: DM/0146/23/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 12 Edge Avenue, Grimsby, North East Lincolnshire, DN33 2DB

PROPOSAL: Retrospective application to retain tree house in garden and boundary fence with associated works

APPLICANT:

Mr Damien George
12 Edge Avenue
Grimsby
North East Lincolnshire
DN33 2DB

AGENT:

DEPOSITED: 23rd February 2023

ACCEPTED: 27th April 2023

TARGET DATE: 22nd June 2023

PUBLICITY EXPIRY: 7th July 2023

**AGREED EXTENSION OF TIME DATE: 17th
July 2023**

CONSULTATION EXPIRY:

CASE OFFICER: Emily Davidson

PROPOSAL

The proposal is retrospective and is to retain a tree house in the garden and a fence with associated works. The tree house is constructed from timber.

The application is presented to Planning Committee due to a call in request by Councillor Westcott.

SITE

12 Edge Avenue is a two-storey dwelling located on the corner between Edge Avenue and Charles Avenue. The area surrounding the host dwelling is residential in nature made up of detached and semi-detached properties. The property is secured with a dwarf wall with timber fencing on top. The fence being considered as part of this application.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF12 - Achieving well designed places

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO5 - Development boundaries

PO22 - Good design in new developments

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Consultee Representations

Highways Officer - Objects due to lack of visibility at access.

Heritage Officer - No heritage input required.

Drainage - No comments.

Councillor Westcott - Call in request on the basis of no objections from neighbours and welcome wider discussion.

Neighbour Representations

No neighbour representations received.

APPRAISAL

Material Considerations

Principle of Development

The site is located within the development boundary of Scartho, therefore Part 1 of Policy 5 of the NELLP 2018 applies. Policy 5 does not preclude works of this nature in principle

within the defined development boundaries. It is therefore considered in principle that the proposed development is acceptable subject to the site-specific impacts discussed below.

Design

The tree house is located within the front garden of the property, close to the property boundary which adjoins Edge Avenue. Thus, it is prominent in the street scene. It is raised well above the fence height, which is also subject to consideration under this application. Combined, they appear visually dominant as a result of their height, position and overall finish. Whilst it is accepted that timber structures are commonplace in residential areas like this one, as stated, the raised height, finish and corner location are such that it creates unacceptable visual harm to the street scene and the wider character of the area. The application is considered to be contrary to Policies 5 and 22 of the NELLP 2018.

Neighbouring Amenity

The host property borders No.14 to the side and No.1a Charles Avenue to the rear. No.'s 17 and 19 sit opposite to the front and No.8 to the side. No neighbour representations have been received.

Given the location of the tree house and fence, No.1a Charles Avenue remains largely unaffected by the proposal. There is adequate separation from all of the surrounding properties to ensure no massing or overshadowing issues from either element.

The tree house has windows and/or openings looking towards the remaining properties around the site, however, these mostly look toward the front gardens of these properties and not directly in them. This, along with the separation minimises adverse impacts in terms of overlooking.

All considered, there would be no adverse impact on the surrounding neighbouring amenities and the application is considered in accordance with Policy 5 of the NELLP 2018 in this regard.

Highways

The tree house is located in the front garden and connects to the newly constructed fence which sits along the top of the existing wall. The property has an existing access onto Charles Avenue, served by a drop kerb. This however sits on the junction with Edge Avenue. Cars using this access already realistically have to pull into the drive in a forward gear and reverse out as no turning is available. As a historic access that is noted and is an existing situation however, what the proposal results in is a lack of visibility in exiting the drive given the structures that have been erected. This creates a pedestrian and highway safety issue which is exacerbated given the position of the access on the junction with two streets. In its current form therefore, the Highway Officer objects to the proposal and it is considered contrary to Policy 5 of the NELLP.

Other Considerations

The Council's Heritage Officer raised no concerns in relation to the application.

CONCLUSION

Given their location, the tree house and fence collectively have a detrimental impact on the street scene, the wider character of the area and highway and pedestrian safety. The proposal is contrary to Policies 5 and 22 of the NELLP 2018 and is recommended for refusal.

RECOMMENDATION

Refused

(1) The fence and tree house as a result of their scale, position and finish detrimentally harm the visual appearance of the street scene and wider character of the area and do not represent good design, contrary to Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(2) The fence and tree house as a result of their scale and position relative to the junction with Edge Avenue and Charles Avenue restrict visibility which prejudice highway and pedestrian safety contrary to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Informatives

1 Informative

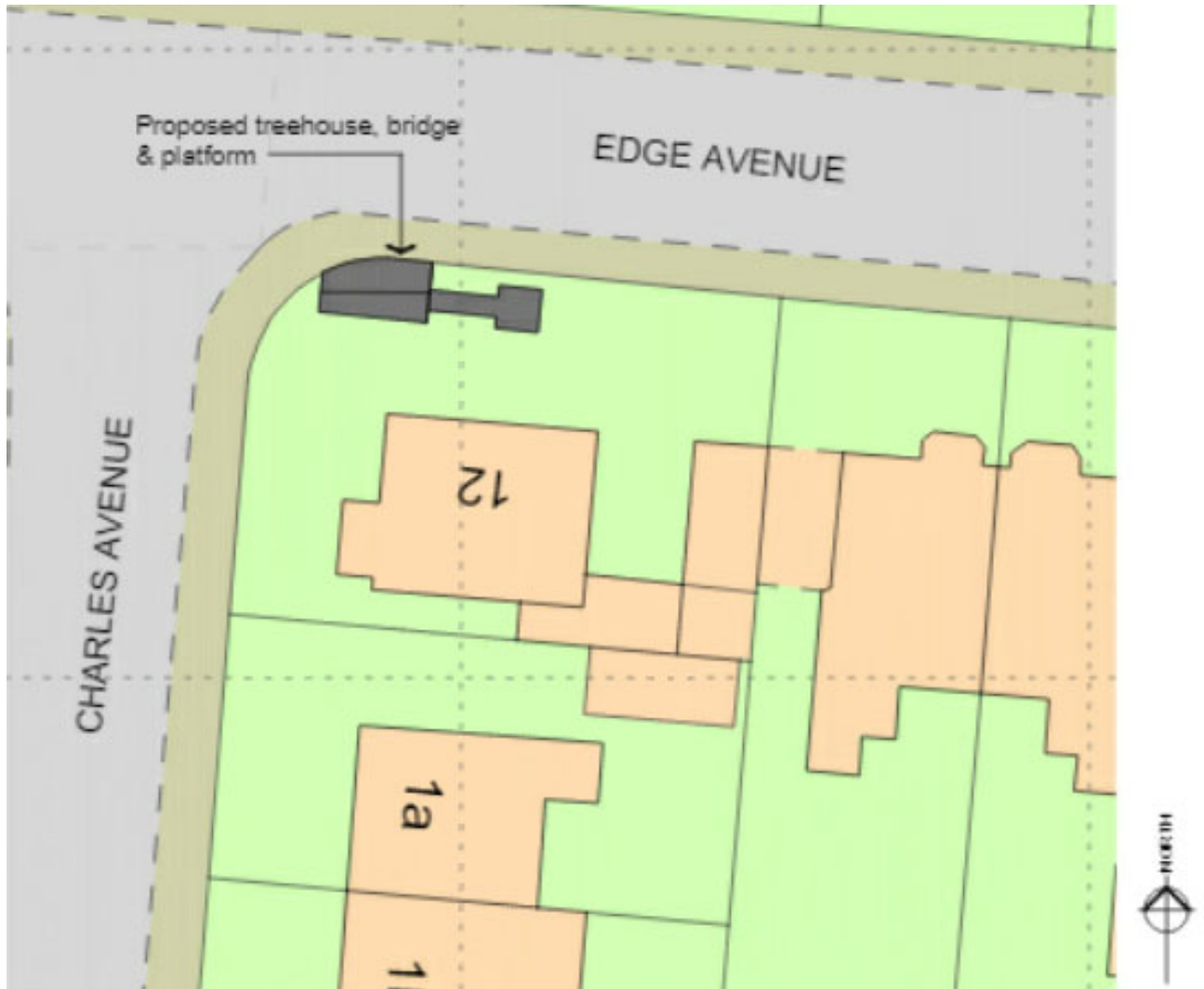
This decision relates to the following plan:

23-518-100 - Site Location Plan, Block Plan and Plans and Elevations.

DM/0146/23/FUL – 12 EDGE AVENUE, GRIMSBY



DM/0146/23/FUL – 12 EDGE AVENUE, GRIMSBY



Block Plan (1:200)

PLANNING COMMITTEE - 12th July 2023

ITEM: 6 **RECOMMENDATION: Approved Limited Period**

APPLICATION No: DM/0326/22/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 299 Louth Road, Grimsby, North East Lincolnshire, DN33 2LA

PROPOSAL: Change of use of residential outbuilding to beauty salon with amended access details (no plan changes, updated description to better reflect proposal)

APPLICANT:

Olivia Dobbs
299 Louth Road
Grimsby
North East Lincolnshire
DN33 2LA

AGENT:

Mr Carl Forman
For-Ward Planning Consultancy Ltd
45 Newbridge Hill
Louth
LN11 0NQ

DEPOSITED: 13th April 2022

ACCEPTED: 13th May 2022

TARGET DATE: 8th July 2022

PUBLICITY EXPIRY: 19th June 2023

**AGREED EXTENSION OF TIME DATE: 17th
July 2023**

CONSULTATION EXPIRY: 10th June 2022

CASE OFFICER: Emily Davidson

PROPOSAL

The proposal is for the change of use of a residential outbuilding to a beauty salon with amended access details. It should be noted that the business is already in operation.

The application is presented to Planning Committee due to it being called in by Councillor Shepherd.

SITE

299 Louth Road is a semi-detached bungalow located close to the end of the road. The area itself is residential with open countryside to the northeast. The houses are a mix of detached and semi-detached properties. There is an access track to the north west of the

property which serves the properties to the rear. The property is secured with timber fencing and brick walls.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF12 - Achieving well designed places

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO38 - Parking

PO5 - Development boundaries

PO22 - Good design in new developments

PO34 - Water management

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Consultee Representations

Highways Officer - Recommends that the business is accessed via the driveway of the host property rather than Side Lane. Conditions recommended for access to be constructed in accordance with agreed details and to ensure no vehicular entrance from Side Lane.

Drainage Officer - Sustainable drainage condition recommended, alleviated with the receipt of further information.

Heritage Officer - No heritage input required.

Environmental Protection Officer - Opening hours and 1 year temporary condition recommended.

Councillor Shepherd - Call in request on the basis of drainage implications and limitations on light.

Neighbour Representations

Objections received from:

2 and 4 Side Lane, 301 and 282 Louth Road.

Objections are broadly on the grounds of:

Drainage implications, use of the side access, highway safety concerns, no dimensions on plans, loss of light, decreased house value, retrospective nature of the application, lack of details of business and parking not being in accordance with the highway code.

APPRAISAL

Material Considerations

1. Principle of Development
2. Design
3. Neighbouring Amenity
4. Drainage
5. Highways
6. Other Considerations

1. Principle of Development

The site is located within the development boundary of Scartho, therefore Part 1 of Policy 5 of the NELLP 2018 applies. Policy 5 does not preclude works of this nature in principle within the defined development boundaries. It is therefore considered in principle that the development is acceptable subject to the site-specific impacts discussed below.

2. Design

Initially, the application included an extension. This has since been omitted. Comments have also been made in relation to the fence. This is not included in the application and is considered to be permitted development. The application is now only considering the proposed business and amended access. The outbuilding itself does not require planning permission, however, the use for business purposes does. The inclusion of a business within the curtilage of a residential property has become more common since the covid 19 outbreak and there are several examples of these within the borough. The use would not harm the character of the area or the street scene. It is recommended that a temporary condition is placed on the application for one year to further monitor the businesses acceptability in practice. Many examples of accesses of this type can be seen in the immediate area surrounding the host dwelling. It would not cause any visual harm.

The application is considered in accordance with Policies 5 and 22 of the NELLP 2018.

3. Neighbouring Amenity

The host dwelling adjoins 301, it borders the access road for Side Lane to the side and No.2 Side Lane to the rear. No.284 sits opposite. Objections have been received from No.301 and 282 as well as No.'s 2 and 4 Side Lane. These objections include matters such as loss of light, drainage implications, highway safety, the creation of a business in a residential area, the retrospective nature of the application and decrease in house value. The comments also noted there were no dimensions stated on the plans, however, the plans are to scale, and dimensions can be provided. Planning legislation allows for the submission of retrospective applications, with the considerations to be the same as if the application were not retrospective. The remaining comments are addressed in the relevant sections of the report. Where comments are made in relation to a lowering in house value, this is not a material planning consideration.

As the building itself is permitted development and it is only the use being considered, there are no overshadowing or massing issues to consider.

The consideration therefore is in relation to the use itself. The business is currently operational. There have been no complaints to the Council in relation to environmental implications from the general running of the business. Further information has been requested from the agent to fully understand how the business operates/will operate and this has been received and this is considered acceptable. This includes working hours between Monday to Friday (10am - 5pm). There will be on average 5 appointments a day. There will be an element of training provided on site, a few times a month. The use overall is considered relatively low key. Conditions are recommended for a temporary use of one year and for the business to operate in accordance with the document received 23/05/2023, as suggested by the Environmental Protection Officer. Therefore, the application is considered in accordance with Policy 5 of the NELLP 2018.

4. Drainage

The Council's Drainage Officer requested sustainable drainage. Plans for this were received, however, the application has now been amended and there are no building works taking place which require planning permission. The application is therefore considered in accordance with Policy 34 of the NELLP 2018.

5. Highways

Concerns have been raised around road safety in relation to the business and new access. This is particularly related to parking along Louth Road as well as the use of Side Lane. Louth Road is an adopted road with no yellow lines present to prevent parking. Thus, parking along this road is considered acceptable and can happen currently with people visiting the existing residential properties. Side Lane is an unadopted road and again, holds no parking restrictions. The vehicular access to the business has been

requested by the Council's Highways Officer to be located through the existing driveway and not via Side Lane. A fence has been erected along the boundary between the host dwelling and Side Lane which has a pedestrian access gate only. With the access being via Louth Road, this is considered acceptable in highway terms and in line with the Highway Officer's comments. The application is considered in accordance with Policies 5 and 38 of the NELLP 2018.

6. Other Considerations

The Council's Heritage Officer has no comments to make on this application.

CONCLUSION

The business on a temporary basis is considered not to harm the character of the wider area or the amenity of surrounding neighbours. The highway matters have been addressed. The application is considered to accord with policies 5, 22, 34 and 38 of the NELLP 2018 and is recommended for approval.

RECOMMENDATION

Approved Limited Period

(1) Condition

The use of the outbuilding as a beauty salon shall cease within one year from the date of the decision, after which time the outbuilding shall be used only for domestic use incidental to the enjoyment of 299 Louth Road unless, before that date, an extension of the period has been granted on a further application by the Local Planning Authority.

Reason

To enable the Local Planning Authority to continue to monitor the implementation of the proposal, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(2) Condition

The business shall only operate in strict accordance with the supporting statement received 23/05/2023 unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect the amenities of nearby residents and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

The vehicular access shall be constructed in strict accordance with the details shown on plan SD-1100-11 within three months from the date of this permission. The access shall be retained as such thereafter. At no time should Side Lane be used as a vehicle access to the site.

Reason

To ensure suitable access to serve the site for highway safety reasons in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

The development shall be completed in accordance with the following plan:

Site Location, Block Plan and Proposed Plans and Elevations - 477-22-01 REV E

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 22, 34 and 38 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The continued use for 1 year would not harm the area character or neighbouring amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular Policies 5, 22, 34 and 38.

2 Added Value Statement

Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by securing amended details to alleviate concern.

3 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

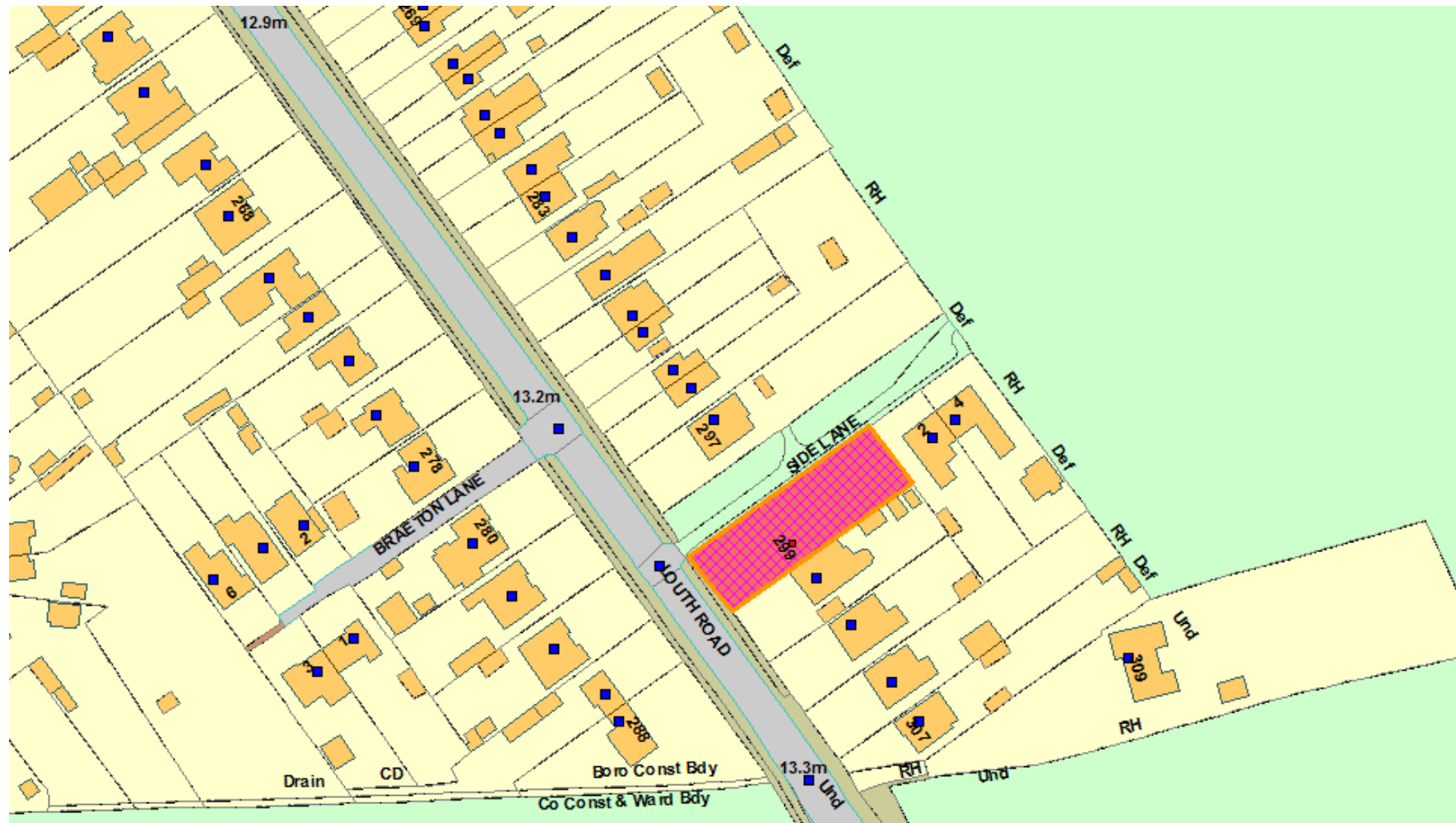
4 Informative

Please note that in advance of work commencing on the access you are required to contact the Highway Management Team with respect to the formation of a vehicular access within the existing highway. This will enable a S184 licence to be granted within appropriate timescales. No works should commence within the highway boundary until such licence is obtained. (Tel:01472 325734).

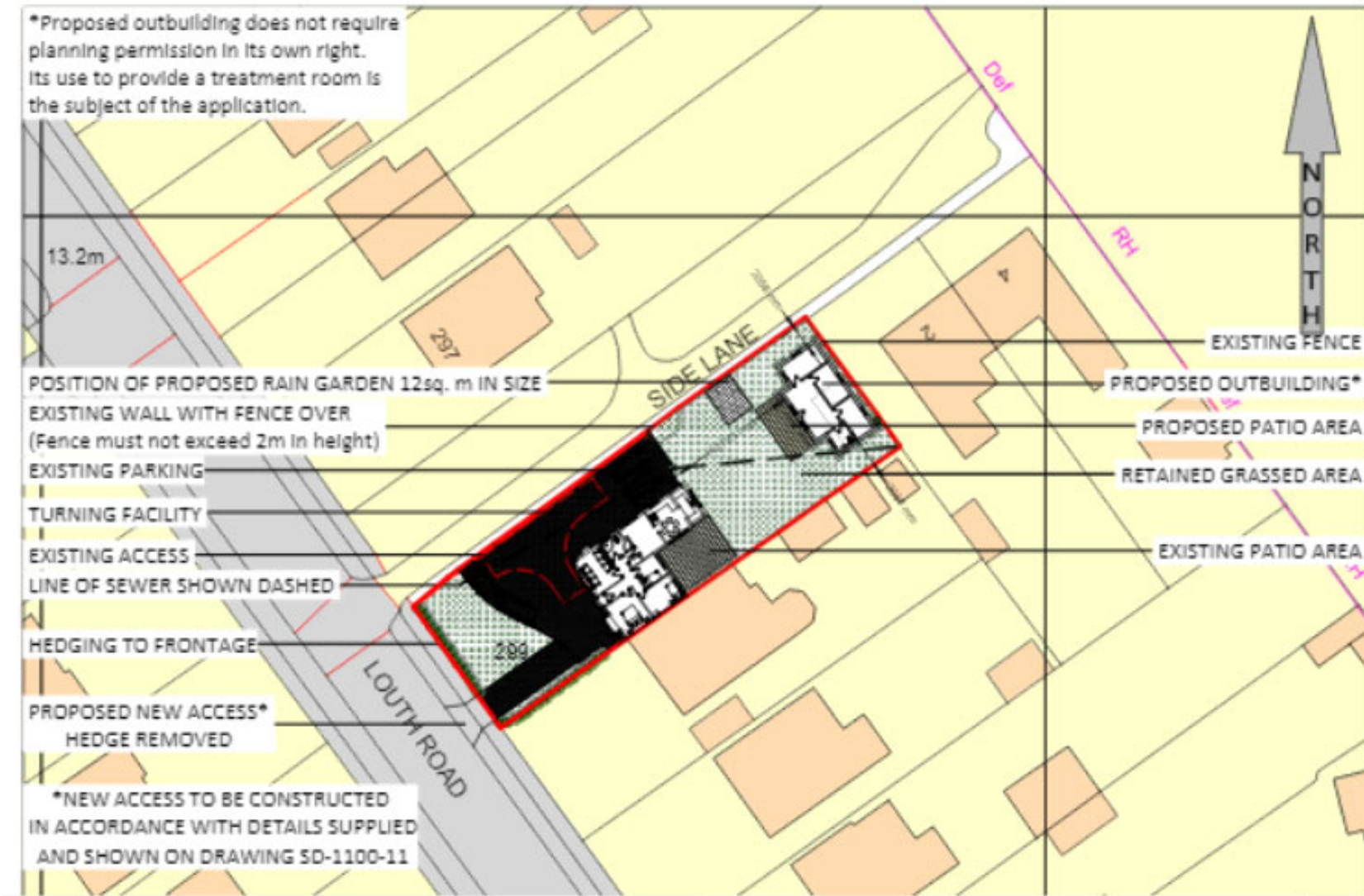
5 Informative

You may wish to contact Anglian Water's Development Services in respect of development and the sewer.

DM/0326/22/FUL – 299 LOUTH ROAD, GRIMSBY



DM/0326/22/FUL – 299 LOUTH ROAD, GRIMSBY



PLANNING COMMITTEE - 12th July 2023

ITEM: 7 **RECOMMENDATION: Refused**

APPLICATION No: DM/1070/22/OUT

APPLICATION TYPE: Outline Application

APPLICATION SITE: 3 Kingsfield Farm , Main Road, Barnoldby Le Beck, North East Lincolnshire, DN37 0SB

PROPOSAL: Outline application for the erection of 2 dwellings and associated works with all matters reserved (Amended Description and Plans received 22nd May 2023 to reduce dwellings to 2 and include pedestrian refuge points for the public right of way)

APPLICANT:

Mr & Mrs A West
3 Kingsfield Farm
Main Road
Barnoldby Le Beck
North East Lincolnshire
DN37 0SB

AGENT:

Mr Dieter Nelson
Dieter Nelson Planning Consultancy
Unit 2 Cleethorpes Business Centre
Jackson Place
Wilton Road
Humberston
Grimsby
North East Lincolnshire
DN36 4AS

DEPOSITED: 7th December 2022

ACCEPTED: 22nd February 2023

TARGET DATE: 19th April 2023

PUBLICITY EXPIRY: 15th June 2023

AGREED EXTENSION OF TIME DATE: 30th June 2023

CONSULTATION EXPIRY: 2nd January 2023

CASE OFFICER: Bethany Loring

PROPOSAL

The application seeks outline planning permission, with all matters reserved, to erect two dwellings and associated works, to the rear of 3 Kingsfield Farm, Barnoldby le Beck.

The application is brought to committee following a call-in request from a ward councillor.

SITE

The site lies to the rear of 3 Kingsfield Farm and has been changed to domestic curtilage. The host property has a modest garden area, following the change from paddock land, and benefits from an access point into this area. The area is maintained and comprises of grass with mature trees located within it. Boundaries are defined by substantial hedging and tree cover.

RELEVANT PLANNING HISTORY

DM/0614/16/FUL - Change of use from Paddock to Residential Garden - Approved with Conditions

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF5 - Delivering a sufficient supply of homes
NPPF12 - Achieving well designed places
NPPF15 - Conserv. & enhance the natural environ.
NPPF16 - Conserv. & enhance the historic environ.

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO2 - The housing requirement
PO3 - Settlement hierarchy
PO4 - Distribution of housing growth
PO5 - Development boundaries
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO39 - Conserve and enhance historic environ
PO42 - Landscape
PO40 - Developing green infrastructure network

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Barnoldby Le Beck Parish Council - Recommends refusal due to location outside of the development boundary, not considered to be sustainable development, no shortage in housing supply, access and impacts to public footpath.

Highways Officer - Approval with access and CTMP conditions. Highways License informative.

Civic Society - Concerns regarding the potential for archaeological loss.

Environment Team - Hours of construction and construction method statement conditions. EV charging informative.

Rights of Way Officer - Initial concerns raised relating to the impacts to the public right of way. Changes made and pedestrian refuge included and now content with the details. Footpath to be surfaced with limestone. Request to close footpath must be supplied, informative.

Drainage Team - Sustainable drainage condition and no raising of ground levels.

Heritage Officer - Wintertree Software Inc. condition recommended.

Trees & Woodlands - Concerns relating to future pressure on the trees. Arboricultural Method Statement and Tree Protection Plan to be conditioned.

Neighbour Representations

Barnoldby House, Main Road - Object based on concerns relating to traffic conflict.

Park Cottage, Main Road (x3) - Objects based on concerns relating to loss of privacy, overlooking, tree removal, traffic, risk to the public and inadequate bin storage.

The Laurels, Main Road - Supports application.

APPRAISAL

1) Principle of Development and Impact on Character and Appearance

The North East Lincolnshire Local Plan 2013 - 2032 (adopted 22nd March 2018) NELLP seeks to promote sustainable residential development and meet the housing needs of the Borough. The locations and scale of development are directed through policies 3 and 4 and seeks to be commensurate to the scale, services, facilities within existing settlements (development area) and connections to the wider area. The settlement of Barnoldby Le Beck (Policy 3 - Level 4 settlement) is a minor rural settlement which offers very few services and amenities. Policy 3 notes that future development should involve only limited

infill, conversion and re-use of existing buildings with very limited further development.

The application site is located outside the development area of Barnoldby le Beck as defined by the NELLP. To the east, south and west is open countryside. As such, the proposal would be located within open countryside where development is generally restricted. Policies 3 and 4 of the NELLP don't justify general housing in the open countryside and such a proposal goes beyond what would be allowed for in a settlement of this nature. The proposal would result in an unsustainable form of development.

The NPPF requires local planning authorities to provide a 5-year supply of housing land. The published position, April 2023 (North East Lincolnshire Five Year Housing Land Supply Assessment 2023 published in April 2023) is that NE Lincolnshire has 13.1 years' worth of deliverable housing sites and as such the tilted planning balance is not activated.

In terms of the designation in the North East Lincolnshire Local Plan (NELLP) the site is outside the defined development boundary and is therefore in open countryside. As stated Policies 3, 4 and 5 in the NELLP play a key role in defining the spatial strategy. Of these, Policy 5 says that development beyond a development boundary will only be supported where it recognises the distinctive open character, landscape quality and role these areas play in providing the individual settings for independent settlements, and where it falls under one of five criteria. These are rural diversification; development of local services and community facilities; leisure and tourism; affordable housing to meet specific local needs; or development specifically identified through a neighbourhood planning process.

The proposal for market dwellings would not meet any of the relevant criteria of Policy 5, and in this respect, there would be direct conflict with the spatial strategy of the development plan. As a matter of principle, the proposal does not accord with Policies 3, 4 and 5 of the NELLP.

In terms of the visual impact the proposal would extend into the rural landscape beyond Barnoldby le Beck resulting in a visual intrusion which would be detrimental to the character and value of this countryside location. The openness of this area, and its relationship to the land adjoining this would be adversely affected by the introduction of two dwellings and the formalisation of what is essentially a rural access track. Due to this extension into the rural landscape, the housing created would be more prominent when compared to the existing. The loss of the open land and its replacement with housing, would fail to have regard to the intrinsic character of this countryside location. What will be diminished is the sense of open countryside both visually and in terms of how the site and its surroundings are experienced. This will be more acute as the site is highly visible from an existing right of way.

2) Trees and Landscaping

The site is covered by a tree preservation order with several trees protected by this order including pines, beech and ash trees. An Arboricultural Report has been provided which

states that three trees have been considered to be of high and medium quality and allocated as Category A and B with others of lower value and allocated as Category C.

Initially, the scheme was for 3 dwellings however this has been reduced to 2 with the third being an issue in relation to shadowing as a result of the trees. The Trees and Woodlands Officer has reviewed the application and commented to state that there are concerns relating to the potential for future pressure on some trees for removal should the proposal be granted, and residential development take place. This potential threat to trees further diminishes the justification of the development as this would also adversely impact on the rural character and appearance of the location. The proposal is contrary to Policy 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and the guidance in section 15 of the NPPF 2021 in this regard.

3) Highways and Public Right of Way

Access to the site would be taken from the private road, which adjoins Main Road, utilising the existing access point which can accommodate the required widths. It is important to note that the access currently serves 3 properties, Kingsfield Pond, Lavender Barn and Park Cottage, however for Lavender Barn this is a secondary access. The plans indicate that the access road would be widened, in places, to accommodate passing places and allow for the minimum width of 3.7 metres for emergency vehicles. This would also include a turning facility. In addition, a public right of way runs along the western side of the access road which is also indicated to be altered. This would be laid in limestone and include pedestrian refuge areas to allow for safe passing. A bin store area has been indicated to be placed close to the access point.

The Highways Officer has accepted the details and states that there are no objections following negotiations and further details being provided. Details relating to the amendments to the access and construction traffic management have been requested and could be dealt with at Reserved Matters. The Public Rights of Way Officer has also accepted the details following negotiations and amendments secured through the application process.

In relation to highways and rights of ways the proposal is considered to be in accordance with Policy 5 and 40 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

4) Drainage and Flood Risk

Policies 33 and 34 of the Local Plan relate to flood risk and water management within a site. The site is outside of areas of higher flood risk and is therefore acceptable in that sense. The proposal would include an increase to the built form on the site and result in further appreciable alteration to the drainage and surface water drainage of the site. As such, the Council's Drainage Officer has requested details of the surface water drainage method.

The agent has confirmed that they would accept a condition to address drainage. This is

considered acceptable in accordance with Policies 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and the guidance in section 14 of the NPPF 2021.

5) Impact on Neighbouring Properties

Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) requires an assessment on the impact on neighbouring land, properties and users.

There have been some objections received from neighbours largely relating to overlooking, tree removal, traffic conflicts, risk to the public and inadequate bin storage. The scheme is in outline form with detailed matters reserved however it is considered that the site could be developed without undue massing, loss of privacy or adverse impacts from the physical build. There is good separation from neighbours and the host property at 3 Kingsfield farm so as to ensure no undue impacts. Other matters relating to highways and trees are addressed in the relevant sections of the report. Bin storage could be adequately provided for. Issues relating to construction disturbance could be mitigated through the use of conditions as recommended by the Environmental Health Officer.

Having regard to the above it is considered that the proposal would accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) in terms of neighbouring amenity.

6) Heritage and Conservation

The site is not within a Conservation Area and Listed Buildings are situated away from the site. The Heritage Officer has commented to state that the site forms part of the medieval settlement of Barnoldby le Beck and therefore recommends that a Written Scheme of Investigation should be provided prior to commencement on the site which could be addressed through the use of a planning condition.

Having regard to the above it is considered that the proposal would accord with Policy 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

CONCLUSION

The site is located outside the development boundary and in an area of open countryside. Its development would have a detrimental impact on the rural character of the area, existing landscape including protected trees and it would not be a sustainable form of development. The proposal is not required to meet housing need within North East Lincolnshire and there is no justification for it. It is contrary to policies, 3, 5, 22 and 42 of the NELLP. The application is therefore recommended for refusal.

RECOMMENDATION

Refused

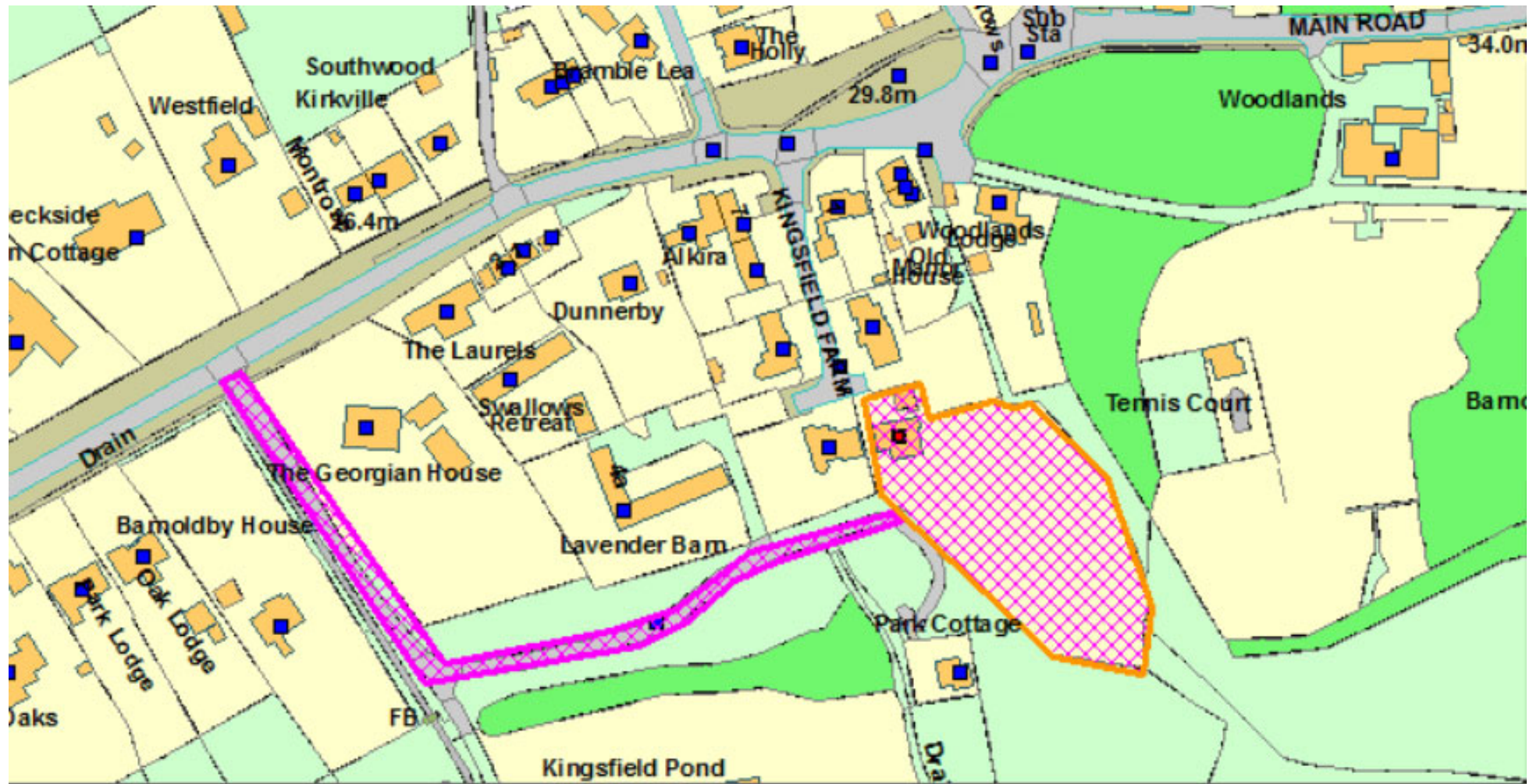
(1) The proposed development is located outside of the development boundary as shown upon the proposals maps in the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018) and is within open countryside. The development is not supported by exceptional reasons to justify the development within the open countryside. North East Lincolnshire has more than a 5 year supply of housing land. As such the proposal is not required to meet housing need and the intrusion into the open countryside causing visual harm as viewed from the surroundings and the existing rights of way and the resulting unsustainable residential environment would be contrary to policies 3 and 5 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018) and advice in the National Planning Policy Framework.

(2) The proposal would intrude into the open character of this sensitive landscaped location. The adverse impact on protected trees as a result of the potential future pressure placed on them by the sites residential development is not justified. The proposal is therefore considered to be contrary to the requirements of Policies 5, 22 and 43 of North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and the core principles as set out in the National Planning Policy Framework 2021.

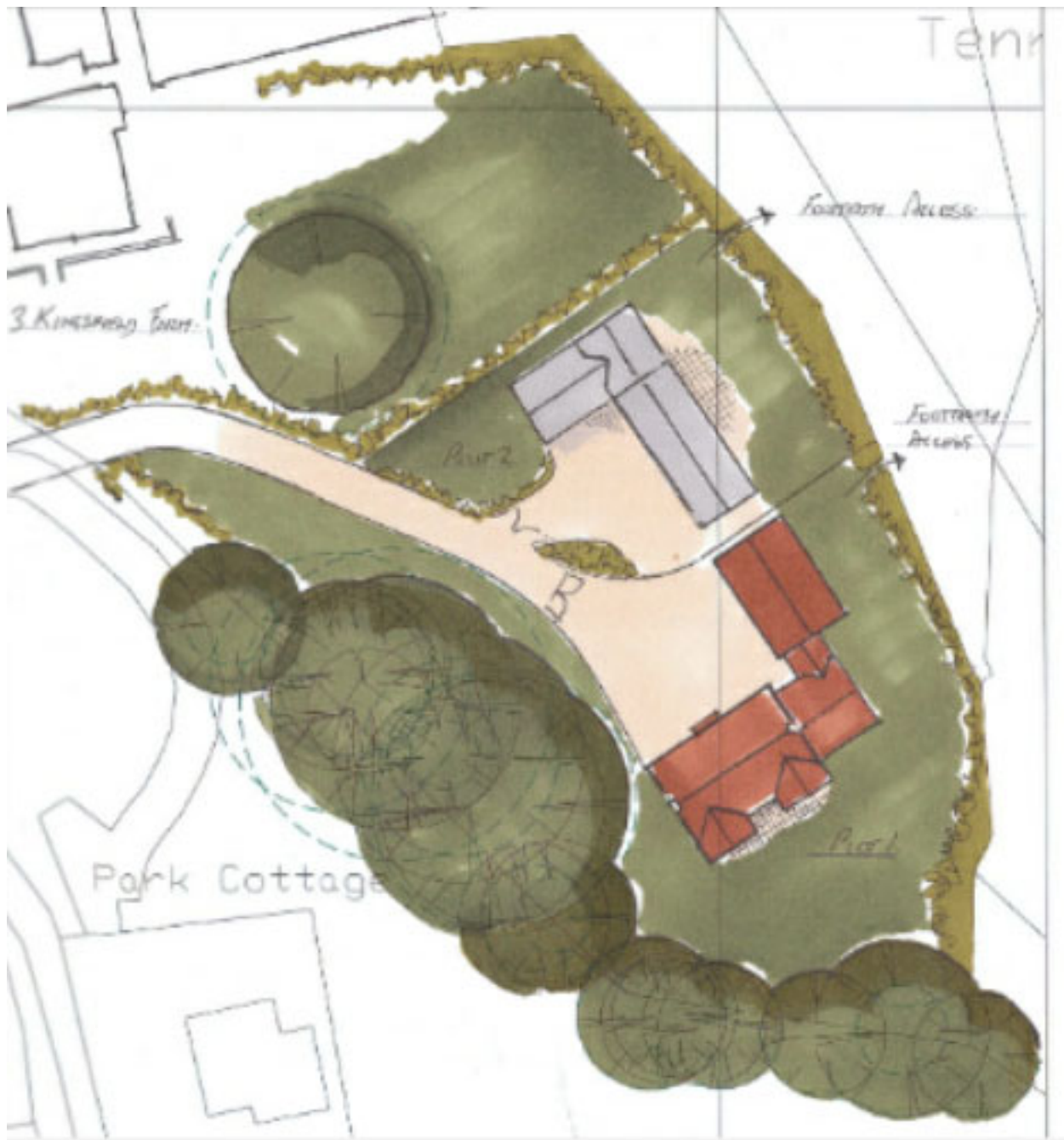
Informatives

1 This application has been considered using the plans referenced F3067-01D and F3067-02A.

DM/1070/22/OUT – 3 KINGSFIELD FARM, MAIN ROAD, BARNOLDBY LE BECK



DM/1070/22/OUT – 3 KINGSFIELD FARM, MAIN ROAD, BARNOLDBY LE BECK



PLANNING COMMITTEE - 12th July 2023

ITEM: 8 **RECOMMENDATION: Refused**

APPLICATION No: DM/0086/23/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: The Limes , Grimsby Road, Laceby, North East Lincolnshire, DN37 7EE

PROPOSAL: Retrospective erection of outbuilding for the use of commercial, chocolate making/ selling chocolates and deliver in-house educational and public chocolate workshops.

APPLICANT:

Mrs Tracy Clay
The Chocolat Story
The Limes
Grimsby Road
Laceby
North East Lincolnshire
DN37 7EE

DEPOSITED: 7th February 2023

AGENT:

ACCEPTED: 24th February 2023

TARGET DATE: 21st April 2023

PUBLICITY EXPIRY: 26th March 2023

AGREED EXTENSION OF TIME DATE: 17th July 2023

CONSULTATION EXPIRY: 20th March 2023

CASE OFFICER: Jonathan Cadd

PROPOSAL

This application seeks permission to erect (retrospectively) a small artisan chocolate making factory with public workshop/party area. The development is housed within a large flat roof building which has been erected to the rear of the host property's curtilage. The 126m2 building is predominantly complete with a commercial kitchen, spray room and store taking up approximately half the building with the public workshop room taking up the other half. Externally the building is part completed and when finished will be clad in timber. The development includes three car parking spaces specifically for the Chocolate Factory although an additional spaces can be accommodated within the

domestic driveway at the Limes, originally it was stated that this would amount to an additional two spaces but later it was indicated that significantly more could be accommodated although this would lead to space blocking. Access to the site is from an existing access lane from the A46 Laceby bypass and a public bridle way.

The production side of the business is predominantly Internet based and all deliveries are sent out from the site via the applicants own vehicle, usually posted via the local post office during general domestic travels associated with the host dwelling. No pickups from the property are generally available. The other side of the business is public workshops/ parties which are pre booked events for up to 12 participants, whether adult or child based. A maximum of two parties a day could be accommodated due to the need for preparation and cleaning times. Presently only the owner is employed at the site although her partner occasionally assists.

The application is presented to the planning committee at the request of the ward member Councillor Hudson.

SITE

The application site is located to the rear of the Limes, Grimsby Road, Laceby a domestic dwelling. The site appears as an enlarged garden area of the host dwelling. The site is located within the open countryside outside of the village of Laceby but close to the BMW garage (diagonally opposite).

The site is part way through being landscaped with slate ground coverage and drainage ponds. The outbuilding is predominately complete, bar cladding, and is positioned at the extreme end of the property to the south. Single storey and flat roofed the outbuilding (5.2m x 24.5m) is connected to three car parking spaces by a network of paved pathways. The parking spaces are completed with wood/ rubber chippings. The site is surrounded by 1.8 hit and miss horizontal fence panels with the parking spaces inset but outside of the fencing and gates. To the south it appears that land has been increased by 500mm in height with concrete retaining blocks installed.

The site is accessed from Limes Farm Lane currently a poorly maintained part metalled part aggregate track which also serves Lime Farm to the south.

To the west is open countryside/ tree copse, beyond which are a small number of houses which front onto the A46. To the south is Limes Farm a house, but immediately adjoining the site is a paddock area. To the east is open countryside land.

RELEVANT PLANNING HISTORY

DC/194/06/WOL Erect single storey extension to rear of property. Approved 2006 - relates to Limes Farm but shows it within the wider curtilage of that property not the application site.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF6 - Building a strong, competitive economy

NPPF7 - Ensuring the vitality of town centres

NPPF9 - Promoting sustainable transport

NPPF12 - Achieving well designed places

NPPF14 - Climate, flooding & coastal change

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO3 - Settlement hierarchy

PO5 - Development boundaries

PO12 - Tourism and visitor economy

PO22 - Good design in new developments

PO34 - Water management

PO38 - Parking

PO42 - Landscape

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Ward Member: Request by Councillor Hudson for the planning committee to consider the merits of the scheme due to public comments.

Laceby Parish Council: Objects - reasons in summary: Retrospective nature of development. The design of building is an eye sore painted bright blue. Access is poor onto a 50 mph road with no slip road/ acceleration lanes, would generate a lot of traffic so many more conflicting moves, the access is opposite the Laceby village junction and could lead to traffic seeking to cross all lanes to get to village in a unsafe conflicting move. Loss of amenity.

Highways: (in summary) accepts use has been operational for some time without issue but does not mean there would not be issues in the future. the A46 has a 50mph limit at this point. Access is via a public bridle way. Workshops have up to 8 participants with school and parties allowing 12 children/ teachers/ helpers at any one time. Although the applicant requests that people car share, it could lead to a shortfall in car parking spaces

on site leading to significant parking issues. This could lead to issues within the bridle way.

The Highway Authority believes that the proposed increase at this access would increase the risk of collision risk at this location. Upon leaving the site, drivers will need to look to accelerate quickly away from the lane to gather up speed to the 50 mph that is being travelled by other vehicles. Those turning in to the site are doing so on a very short deceleration lane and traffic travelling behind could have to break quickly as it is not signposted that there is an access at this location.

It is for these reasons that the Highway Authority requests the application be refused

Drainage Officer: Request surface water drainage condition.

Heritage Officer: No input required

Environmental Protection: (in summary) The distance to neighbours would limit impacts but if necessary conditions could be imposed hours of operation and deliveries and extract/ ventilation equipment. No details of any flues are shown.

Rights of Way officer: (in summary) The site adjoins a footpath and additional traffic has the potential to conflict with walkers using the adjoining footpath. The hedgerow along side the A46 masks the footpath and therefore increases potential for accidents. The lack of pedestrian crossing facilities at this point is an issue. Concerns that there are not sufficient car parking spaces.

Site Notice/Neighbours

Objection

Limes Farm Grimsby Rd and Grimsby Road Laceby:

Although possibly neutral to chocolate factory due to being a cottage industry this has subsequently evolved into a business model of a training centre and shop which has led to a big increase in vehicular traffic. Limes Farm Lane has limited visibility and is a simple farm track entering the bypass. Parking facilities are not adequate and factory delivery and collection traffic often uses neighbouring driveways to turn.

Witnessed people leaving site, turning into Laceby and doing an immediate U turn back into Grimsby cutting people up coming out of Laceby.

Noise and excited children outside and playing of loud music

Support

5 Daisy Drive Laceby

11 Arnold Close, Laceby
6 St Peters Grove Laceby
1 Brocklesby Avenue Grimsby,
20 Longmeadows Drive Grimsby
41 Southfield Road, Grimsby
7 Littlefield Lane, Grimsby
82 Runswick Road, Grimsby
11 Sandgate Close, Grimsby
3 Stow Close Grimsby
Adelphi Drive, Grimsby
38 Wicklow Close, Grimsby
7a Great Coates Road, Grimsby
36 Tintagel Way Grimsby
8 Rosemallow Close Grimsby
9 St Giles Avenue Grimsby
17 Woodsley Avenue, Cleethorpes
22 Highgate, Cleethorpes
9 and 30 Links Road Cleethorpes
31 Alexandra Road Cleethorpes
35 Braemar Road, Cleethorpes
96 Campden Crescent, Cleethorpes
5 Drury Close, Waltham
7 Hawthorne Avenue, New Waltham
7 Carbis Close, New Waltham
75 Forest Way, Humberston
30 Kesteven Court Habrough
49 Leggott Way, Stallingborough
12 Poplar Rd Healing
4 Lydford Road, Immingham
51 Jersey Place, Immingham
Flat 377A Pelham Road Immingham
108d Woodlands Avenue Immingham
Humberside Airport
Oldfield House Churchthorpe Fulstow
14 Devonshire Road, Scampton
2 Curlew Court Barton upon Humber
Pameliarose, Main Street Althorpe Scunthorpe
15 Shelley Road Rotherham

Summary of support

Easy and safe to access away from roundabout and great spot to have such a hidden gem and I mean hidden, approve with signage
No issues with parking or turning - safety increased since reduction in speeds to 50mph.
Similar access points for other businesses onto bypass. Look at Grimsby Road/ Charles Avenue access to A46 - that is deemed safe.
Unique facility particularly in a town with everything closing.

Create a positive social environment for families to engage with.

Supports those with children with additional needs.

Fantastic educational facility for all ages - group of 95 walkers visited the site a few weeks ago

Supports many local groups such as Scouts, Cubs, Beavers and various schools - due to the size of these groups it is very difficult to find somewhere to cater for them.

Proposals for the garden too are exciting and complimentary

Lovely environment

Able to purchase amazing products and visited other places too

Workshops can take place elsewhere

APPRAISAL

Main issues

- 1) Planning policy issues
- 2) Highway safety
- 3) Residential amenity
- 4) Design and character
- 5) Other issues

Appraisal

- 1) Planning policy

One of the underlying themes of the NELLP is to promote economic development and increased employment opportunities for all. Para 8.4 of the NELLP. This is an important consideration that should be given weight in any determination. The Chocolate Storey although a small-scale artisan business, with only one employee, currently, clearly has the potential to become a successful venture providing goods and services that were not previously available assisting the economy of NE Lincolnshire. As such it is a positive enterprise. Such uses, however, should be directed to the right place and the NELLP provides a spatial hierarchy of settlements which can sustainably support enterprise but also outlines conditions/ considerations for proposals which are located outside such areas. Laceby is noted as a level 2 service centre offering a good range of basic services and amenities combined with good accessibility. Policy 3 notes: 'Future development would involve development principally of greenfield sites adjacent to but within the defined settlement development area boundary.' In this instance Laceby is a short distance from the application site, albeit with the substantial barrier of the A46 Laceby Bypass between it and the site. This includes a number of commercial units, village hall and a business park.

The application site is located outside of the development boundary of Laceby and is within the open countryside across the A46 from the village. Policy 5 of the NELLP provides some scope for limited development in rural areas, however, noting development will only be supported where it recognises the distinctive open character,

landscape quality and role these areas play in providing the individual settings for independent settlements, and:

- A. supports a prosperous rural economy, particularly where it promotes the development and diversification of agricultural and other land base rural businesses; or,
- B. promotes the retention and development of local services and community facilities; or,
- C. supports rural leisure and tourism developments; or,
- D. it consists of affordable housing to meet specific local needs; or,
- E. it is development that has been specifically defined and identified through the neighbourhood planning process.

In this instance, although in a rural location, the chocolate factory/workshop is not a rural leisure or tourist enterprise and originated from within Cleethorpes town centre. It is located within the applicant's property following the effects of Covid as a way of retaining an operational business and allows ease of use by the applicant as it is to the end of their property. Whilst such reasoning is understandable, nevertheless, it is the type of use that could be located anywhere. It does not support diversification of an existing agricultural business nor an existing community facility.

Enterprise and home working is supported by the NPPF, but such development is very much within a context of an appropriate home-based scale. This development is significantly greater than that and attracts groups and activities which would not be expected within a home nor necessarily an open countryside location. The proposal seeks to retrospectively gain permission for a relatively large structure positioned in the open countryside and already successfully attract schools and private parties of up to 12 people at any one time (cubs, beavers, scouts etc). The site is located outside of Laceby but is the type of use which could have been located within the village centre or indeed the more commercial locations within the nearby towns of Grimsby/ Cleethorpes where such a development could have supported the vitality and growth of these areas. It is clear from the letters of support that custom is not localised but borough wide (and further) making the current site unsustainable compared with the town centres which can be accessed by a variety of public transport routes and modes along with allowing fully linked trips.

In addition to this, it is suggested that the application site is not wholly part of the residential curtilage of the property, indeed historic planning application files show the site as part of Limes Farm to the south. Similarly, maps indicate stables originally installed on the site (although since removed) points to the area being part of a paddock area outside of the residential curtilage of any dwelling.

This development therefore misses the opportunity to support the vitality of the local town centres and is located in an unsustainable open countryside location. Despite the clear benefits of this business, economically and socially, its position and lack of policy support for a rural location is such that the proposal would be considered contrary to policies: 3, 5 and 36 of the NELLP.

2) Highway safety

The site is located off the A46 dual carriageway close to the junction with Grimsby Road, Laceby village turn off and Astle BMW. The access is existing and serves both the Limes and Limes Farm. It is also a public bridleway. As an informal access the junction has no appreciable deceleration nor acceleration lanes and the access to the site is not that obvious.

The development is in two parts, the production of chocolate for sale is generally a one-person operation. The applicant indicates all deliveries or mail drops are undertaken by herself through general domestic visits to Grimsby when access to postal services are available. No pickups at the premises are normally available. Equally ingredients required are purchased by the applicant during general shopping visits. As such the impact of the production of chocolate on highway safety at this site is minimal.

The workshop /party side of the business, however, would generate activity beyond that which would normally be expected from residential dwelling. Parties of up to eight people in terms of adults or 12 people in terms of children's parties and/ or school visits is expected. Whilst only two such events could be accommodated on each day (most likely at peak periods such as Easter and Christmas) this would not likely occur every day and indeed most weeks events are likely to be limited to one or two events per week but nonetheless this would increase traffic movements off and onto the 50mph carriageway in this location. Requests that visitor's car share whilst positive cannot be guaranteed and so the potential for significant additional traffic using this access is a real potential. Given the limitations of the access described this could lead to drivers being unsure where the junction is, indicating and/or breaking late to turning into the driveway creating a potential for a collision. Equally, vehicles entering back onto the dual carriageway have to filter into fast moving traffic. Whilst visibility is not poor, the level of passing traffic at times is significant, passing traffic are not anticipating slower moving traffic to/from the left and tend to concentrate on decelerating vehicles moving into the right-hand side slip road to access the Laceby village turn. They are less likely therefore to anticipate vehicles to and from the application site driveway. Equally there would be a temptation for certain drivers to cut directly across the carriageway into Laceby (or U turn towards Grimsby) creating further slower moving and conflicting vehicle movements.

The Highways Officer has visited the site on a number of occasions most recently to consider the improvements offered by the applicant (including signage, cutting back of vegetation, driveway surfacing and even potentially some additional lighting, although this is unspecified at this time). Whilst accepting the access is existing, and certain improvements could be made, the Highways officer does not consider this would be sufficient to override their safety concerns. The proposal would increase and exacerbate additional and conflicting movements on and off the A46 at this busy and fast-moving location which already has a number of conflicting movements and would unacceptably impact on highway safety.

Laceby is well served by bus routes (nos. 53 and 250) providing regular day time services

into the early evening but not at all on a Sunday. The nearest bus stop to the site is on Grimsby Rd Laceby opposite Astle BMW. The village also benefits from the joint cycle/footpath to Grimsby to aiding safe pedestrian and cycle access to the village. The site is therefore close to these sustainable features but crucially these positive elements can only be accessed by crossing the busy A46 at its junction with Grimsby Road, Laceby. There are no crossing facilities at this point and no pavements to the application site on the dual carriageway. Such a crossing is far from ideal, and whilst not impossible is perhaps unwise if accompanied by children or the infirmed. As such it is likely that the site will be accessed predominately by car traffic.

In addition to this, albeit to a lesser extent, the site has limited car parking. The applicant requests that visitor's car share but this cannot be guaranteed, indeed the comments of a neighbour suggest such requests are only partially successful. It is considered therefore that three spaces plus the two additional spaces at the host property would not be sufficient in general terms for the parties and or school visits which the applicant seeks to promote. It is noted that the host dwellings driveway is capable of significantly more parking, but this would be on the driveway and may lead to cars blocking each other in so is not an ideal location and would perhaps indicate additional vehicle movements to the access. This could also lead to the closest section of the bridleway being crossed by additional traffic or if the applicants' own domestic driveway were to be used could lead to parking and or as a minimum manoeuvring around this area which would detract from the area and also the safety of users of the bridleway.

Having regard to the above the proposal is considered to be contrary to policies 5, 36 and 40 of the NELLP.

3) Residential amenity

The site is positioned in a location which is relatively remote from neighbours except for Limes Farm to the south. Even this property is positioned some 50 - 55m from the workshop building. The building is single storey and is surrounded by 1.8m high hit and miss fencing. This together with the doors and main outlook being to the northern side and raised ground levels would limit the impacts of general activities on neighbours. The exception to this, would be the increase in comings and goings to the site and using the access drive (3.7 - 4.1m) for vehicle parking and manoeuvring. Any increase above the car parking capacity could cause nuisance to neighbours/ farmers seeking to access their properties. This is not ideal but would not necessarily be to such a level that would justify a reason for refusal contrary to policy 5 of the NELLP.

It is noted that a neighbour has raised the issue of noise and nuisance from excited children and loud music. This has not been witnessed on site and could be controlled through conditions imposing no amplified music and a management plan for activity at the wider site. The Councils Environmental Health Officer raises no objection.

4) Design and character

The application site is largely screened from most public views by trees but is quite obvious from the bridgeway running close to the site and indeed the driveway used to access Limes Farm. The application site is a large paddock/ garden area at the property and the erection of a large flat roof building has not particularly aided the character of the area and is presently bright blue. This is not; however, the final finish and the building would be clad in timber reducing its impact. The structure and landscaped garden area domesticise the character of the area for a small part of the bridgeway detracting from its rural character. As paddock area, it would not be unusual to have a stable block or other such building, which would not be that dissimilar to the proposal albeit to a lesser developed character. Similarly, 1.8m hit and miss fencing could be erect under permitted development rights. As such the proposal would have a minor impact on the character of the area but this in itself is not considered sufficient to justify objection.

5) Other issues

The proposal is located within a flood zone 1 for tidal and river flooding but is within a high-risk area for surface water flooding. The applicant has provided several options for surface water drainage including a French drainage system, but this is not sufficient for the Drainage Officer and a condition could be used to ensure surface water flooding downstream will not be a significant issue. Equally the finished floor level of the building is approximately 150mm above ground levels to limit flooding. As such this is a matter that can be resolved.

CONCLUSION

The development undertaken does have positive benefits in that it promotes economic growth, enterprise and provides employment for the applicant which are be applauded. However, it is located in an unsustainable location outside of the development boundary of Laceby in open countryside. It would not meet the exceptions tests for development to be acceptable in such locations and would fail to take the opportunity to support regeneration efforts within allocated town centre locations.

The workshop/ school/ party use of the development would attract a good number of participants who would rely on motor vehicle transport. Although close to public transport routes, bus stops and paths are remote from the site and require the crossing of the busy 50 mph A46 bypass at this location to access, them making the development unsustainable. In addition to this, the access drive is poor and could lead to a number of last minute or difficult movements which would conflict with other fast moving traffic leading to an unacceptable reduction in highway safety. Similarly, limited parking is such that the access drive to the site, adjoining property and bridle way would be more at risk from being blocked or narrowed reducing amenity and safety.

These points together outweigh the benefits of the scheme in this location contrary to

policies: 3, 5, 22, 36 and 40 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018).

RECOMMENDATION

Refused

(1) The development is located outside of the defined development boundary in an area of open countryside. It's position to the south of the A46 dual carriageway would also limit safe sustainable traffic options and would lead to the use of motor vehicles for most movements. There are no material planning reasons to justify the siting of this commercial use in an open countryside location. The proposal is therefore considered to be contrary to the requirements of policy 5 and 36 of North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and the core principles as set out in the National Planning Policy Framework 2021.

(2) The proposal would increase and change the use of the existing access point leading to an increase in slower moving vehicles entering and leaving a high speed dual carriageway and also potentially turning within it conflicting with passing traffic. In addition the limited dedicated car parking area could lead to conflict with users of the access lane and bridleway. This would represent a significant highway danger contrary to policy 5 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018) and advice in the National Planning Policy Framework 2021.

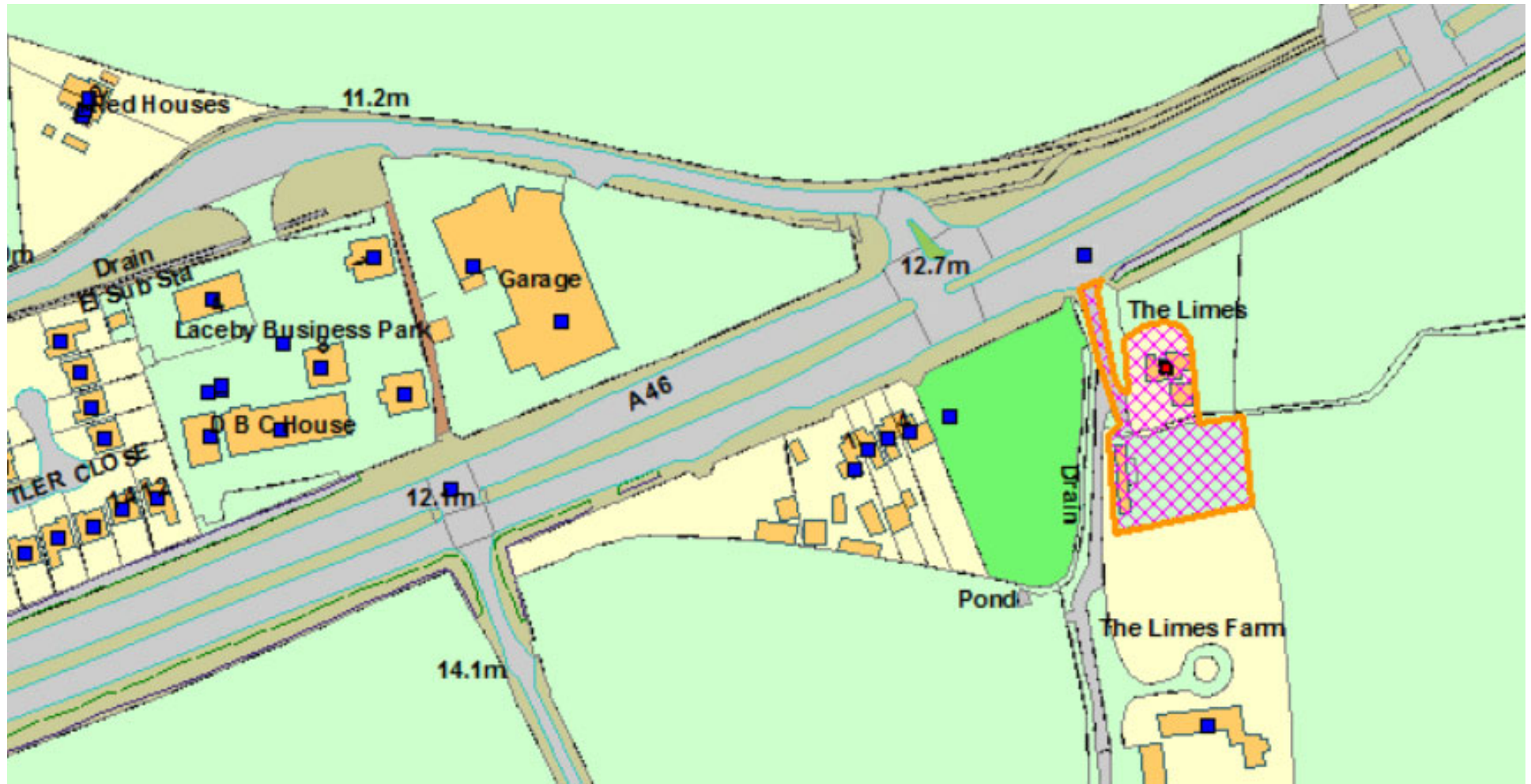
Informatives

1 Added Value Statement

Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, but was ultimately unable to overcome the issues raised.

DM/0086/23/FUL – THE LIMES, GRIMSBY ROAD, LACEBY



DM/0086/23/FUL – THE LINES, GRIMSBY ROAD, LACEBY



PLANNING COMMITTEE - 12th July 2023

ITEM: 9 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0117/23/REM

APPLICATION TYPE: Reserved Matters

APPLICATION SITE: Land North Of, Main Road, Barnoldby Le Beck, North East Lincolnshire,

PROPOSAL: Variation of Condition 1 (Approved Plans) following DM/1103/17/REM to revise layout and dwelling design to Plot 6

APPLICANT:

Mr Ashley Barnett
C/o Lincs Design Consultancy Ltd
12 Vickers Lane
Louth
Lincolnshire
LN11 9PJ

AGENT:

Miss Erica Whatrup
C/o Lincs Design Consultancy Ltd
12 Vickers Lane
Louth
Lincolnshire
LN11 9PJ

DEPOSITED: 14th February 2023

ACCEPTED: 21st March 2023

TARGET DATE: 16th May 2023

PUBLICITY EXPIRY: 2nd July 2023

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 15th April 2023

CASE OFFICER: Richard Limmer

PROPOSAL

The proposal is to vary the plans approved under DM/1103/17/REM (reserved matters for three dwellings, plots 6, 7 and 8 on Kings Chase) in regard to plot 6 only. The proposed amendment is a change of house type for plot 6 and a change of detached garage design.

The proposed house is increased in overall size and its ridge height increased approximately 1.6m and provides rooms in the roof space. There would be 6 rooflights included, 3 to the front roof slope and 3 to the rear. The detached garage is increased in size by footprint and height; it is now proposed as a 3 bay garage with a room in the roof. The proposed garage measures approximately 12.5m by 6.5m, 3.6m to the ridge and

6.5m to the ridge.

This application has been brought to planning committee due to an objection from Barnoldby le Beck Parish Council.

SITE

The site lies on the northern side of Barnoldby le Beck with Beck Farm Mews to the east and the previously approved dwellings to the north and south and the open countryside to the west. All the approved dwellings are accessed off the same road as this site. Some of the properties have begun construction.

RELEVANT PLANNING HISTORY

On this site:

DM/0951/14/OUT - Outline for the erection of 3 dwellings - approved.

DM/1103/17/REM - Reserved matters application for 3 dwellings following outline approval under DM/0951/14/OUT - approved.

DM/0971/21/REM - Variation of Condition 1 (Approved Plans) pursuant to DM/1103/17/REM to amend internal layout and include single storey rear extension to plot 6 - approved.

DM/0878/21/REM - Variation of Condition 1 (Approved Plans) pursuant to DM/1103/17/REM to amend the house type of plot 5 - approved.

DM/0843/22/REM - variation of Condition 1 (Approved Plans) pursuant to DM/0878/21/REM to amend the design and layout of plot 5 - approved.

Site to the north:

DM/0398/15/OUT - outline application with access, layout, scale, landscaping considered for the erection of two dwellings - refused - allowed at appeal.

DM/1039/18/REM - Reserved Matters application for the erection of two detached dwellings and detached double garages with access, appearance, landscaping, layout and scale to be considered and Details in Discharge of Conditions 4 (Archaeology), 5 (Construction Management Plan), 6 (Surface Water Drainage), 7 (Ecology), 8 (Knotweed), 9 (Bin Store) and 10 (Access) pursuant to DM/0398/15/OUT - approved.

DM/0294/20/CND - Details in discharge of condition 3 (Surface Water Drainage), 6 (Foundation Details), 8 (Water Reuse) and 9 (Remediation) pursuant to DM/1039/18/REM - conditions complied with.

DM/0353/21/FUL - Variation of Conditions 1 (Approved Plans) and 2 (Materials) as granted on DM/1039/18/REM for amended layout/design of dwelling and garage (Amended Plans received 24th May 2021) - approved with conditions.

Site to the south:

DM/0279/14/OUT - Outline for the erection of 3 dwellings - approved.

DM/0230/17/REM - Reserved matters application for 3 dwellings further to DM/0279/14/OUT - approved.

DM/0311/20/FUL - Erect three dwellings with garages to include new access, parking and landscaping - approved.

DM/1020/20/FUL - Variation of Condition 2 (Approved Plans) as granted on application

DM/0311/20/FUL - amendments to layout and design, including balcony to rear and proposed entrance gates - Plot 3 - approved with conditions.

DM/0431/21/FUL - Variation of Condition 2 (Plans) as granted on DM/0311/20/FUL to amend layout and design - approved with conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF5 - Delivering a sufficient supply of homes

NPPF12 - Achieving well designed places

NPPF14 - Climate, flooding & coastal change

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO5 - Development boundaries

PO22 - Good design in new developments

PO33 - Flood risk

PO34 - Water management

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Barnoldby le Beck Parish Council - object due to the size of the proposed house and garage and the subsequent impact on neighbours.

Trees - no objections, comments on requirement of the foundation design.

Drainage - no objections.

Environmental Health - no objections.

Highways - no objections.

PROW - no objections.

Heritage - no comment.

Neighbours

No neighbours have responded to consultation.

APPRAISAL

Main Issues

1. Principle of Development
2. Impact on Neighbours
3. Impact on the Character of the Area
4. Drainage
5. Highways

1. Principle of Development

The application seeks to vary condition 1 (approved plans) of the earlier approval to allow for amendments to the layout and design of Plot 6, Kings Chase, Barnoldby Le Beck.

The principle of the development has already been established under the original permission and the considerations of this application are merely those relating to the impacts arising from the proposed amendments.

2. Impact to Neighbours

It is noted that the Parish Council have objected to the proposed amendments due to the proposed size of the dwelling and garage and the subsequent impact of the development on the adjacent neighbours.

The design of the dwelling has changed from that previously approved, in particular the overall height of the dwelling is increased by approximately 1.6m. This increase in height allows for additional rooms within the roof space. The proposal presents a side elevation to the neighbour no.2 Beck Farm Mews to the east, there are 3 first floor windows proposed all of which are to bathrooms/ensuites and so would be obscurely glazed. The side/rear elevation of no.2 Beck Farm Mews is approximately 20m away and has various openings facing the application site. It is considered that whilst the proposed dwelling would be visible to the neighbours, in particular no.2 Beck Farm Mews, the separation distance afforded means that it would not be overly dominant or cause a loss of privacy. The proposed dwelling would also be visible to other neighbours in Beck Farm Mews and the host development but it would not cause undue harm to their residential amenities.

The proposed detached garage is also larger than the previously approved garage. It presents a gable end to no.1A Beck Farm Mews with a first floor toilet window. This garage would be positioned close to the rear garden boundary of no.1A Beck Farm Mews. Although it would be visible to the neighbour it would not cause an undue impact on their residential amenities with particular regard to outlook, dominance and privacy.

Having regard to the above, it is considered that the proposed amendments to plot 6 are acceptable and would not cause significant harm to the neighbours' residential amenities in accordance with policies 5 and 22 of the NELLP.

3. Impact on the Character of the Area

The proposed amendments to the approved scheme follow on from various other amendments to the wider Kings Chase development. As detailed in the Planning History of this report most of the plots within the development have been amended since the original scheme was approved. There is no fixed design theme on the development and rooms within the roof space have been approved on other plots along with various changes to elevation details and design.

The proposed amendments increase the overall size and scale of the dwelling and garage. However, it remains of a similar scale as other dwellings within the Kings Chase development and Beck Farm Mews. Furthermore, the wider character of Barnoldby le Beck is that of large properties set in varying sized grounds.

Having considered the proposed development and the immediate and wider character of the area, it is considered that it would not cause undue harm and would assimilate into the development. It is therefore considered that the proposed development accords with Policies 5 and 22 of the NELLP.

4. Drainage

The overall impermeable area on the plot is increased and as such the drainage scheme needs to be updated to accommodate the increase. This matter can be dealt with by a condition. With the inclusion of the condition the proposed development accords with Policy 34 of the NELLP.

5. Highways

The proposed amendments do not alter the access to the property and the proposed site layout retains onsite parking and turning space with a garage. It is therefore considered to be acceptable in highways terms and accords with Policy 5 of the NELLP.

CONCLUSION

This application seeks to modify an earlier approval. The modifications proposed in this application are considered to be of an acceptable scale and nature and do not fundamentally alter the original design concept or create any significant additional impacts to the character of the area or to neighbours. It is therefore considered to accord with Policies 5, 22 and 33 of the NELLP and is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

The development shall be carried out in accordance with the following plans:

LDC3992-PL-01 - site location plan

LDC3992-PL-02D - plans and elevations

LDC3992-PL-03D - plans and elevations

As approved under DM/0180/23/REM

Site Location Plan - RD4052-01

Proposed Block Plan - RD5232-01 Rev C

Proposed Plans and Elevations (Plot 5) - RD5232-02 Rev C

As approved under DM/1103/17/REM:

Proposed Plans and Elevations (Plot 4) - RD4052-04

Proposed Management Plan - RD4052-07

Proposed Landscaping Plan - RD4052-08A

Reason

For the avoidance of doubt and in the interests of proper planning and in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(2) Condition

The development shall be built out in accordance with the Construction Management Statement ref: RD4052 and plan referenced RD4502-07 (approved under DM/1103/17/REM) unless otherwise approved in writing by the Local Planning Authority.

Reason

To protect the residential amenities of the neighbouring properties in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

Development shall not begin on plot 6 until details of all external materials to be used in construction of plot 6 have been submitted to and approved in writing by the Local Planning Authority. The development shall be built out in accordance with the details approved.

Reason

To protect the residential amenities of the neighbouring properties in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

The scheme of landscaping and tree planting shown on drawing no. RD4052-08A (approved under DM/1103/17/REM) shall be completed within a period of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

Reason

To ensure a satisfactory appearance and setting for the development and continued maintenance of the approved landscaping in the interests of local amenity in accordance with Policy 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) Condition

No development shall commence on plot 6 until a scheme for the provision of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details.

Reason

To prevent an increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition

No development shall commence on plot 6 until the foundation details have been submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details.

Reason

In the interest of tree protection in accordance with Policy 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Informatives

1 Informative

This application will require the creation of new postal addresses. You are advised to contact the Street Naming & Numbering Team on 01472 323579 or via email at snn@nelincs.gov.uk to discuss the creation of new addresses.

2 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

3 Reason for Approval

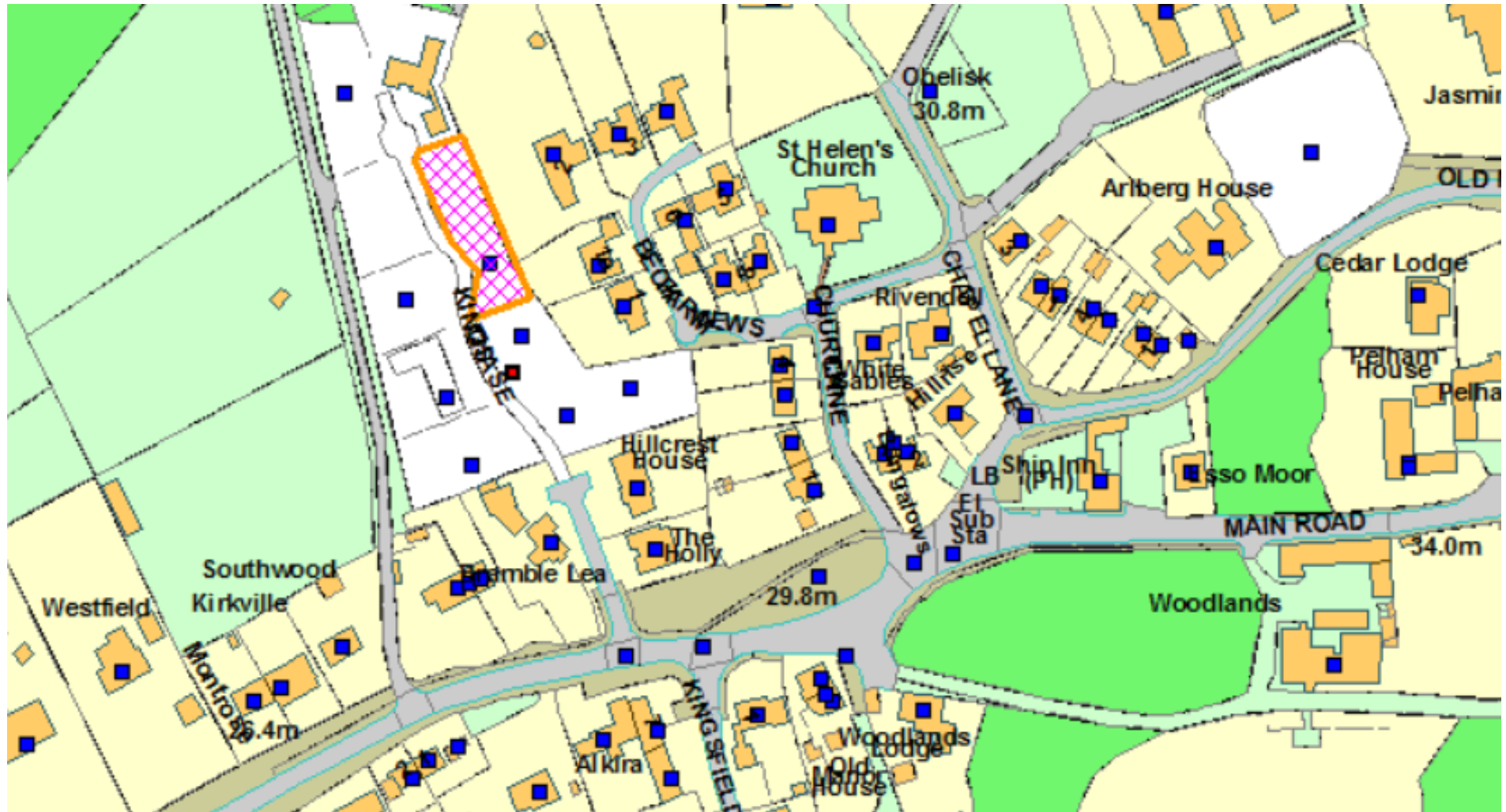
The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33 and 34.

4 Added Value Statement

Article 31(1)(cc) Statement - Positive and Proactive Approach

No problems have arisen during consideration of this application that have required working directly with the applicant to seek solutions.

DM/0117/23/REM – LAND NORTH OF MAIN ROAD, BARNOLDBY LE BECK



DM/0117/23/REM – LAND NORTH OF MAIN ROAD, BARNOLDBY LE BECK



PLANNING COMMITTEE - 12th July 2023

ITEM: 10 **RECOMMENDATION: Approved Conditions and signing of S106**

APPLICATION No: DM/1222/21/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Land At, Brigsley Road, Waltham, North East Lincolnshire,

PROPOSAL: 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 landscaping, amended layout to relocate footpath 72, various changes to dwelling designs across the site (see planning changes document dated 06.01.2022), (amended description and information dated May 2023)

APPLICANT:

Mr Steven Ibbotson
Cyden Homes Ltd
1 Laceby Business Park
Grimsby Road
Laceby
DN37 7DP

AGENT:

DEPOSITED: 14th December 2021

ACCEPTED: 6th January 2022

TARGET DATE: 7th April 2022

PUBLICITY EXPIRY: 19th June 2023

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 31st January 2022 **CASE OFFICER: Richard Limmer**

PROPOSAL

The proposal is 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 landscaping, amended layout to relocate footpath 72, various changes to dwelling designs across the site. The specific changes are as follows:

- Plots 101 and 32 - remove chimney and change render for brick.
- Plot 187 - alterations to elevations

- Plots 93-96 - remove chimneys and alterations elevations
- Plots 110-111 - alterations to elevations
- Plots 39-42 - alterations to elevations
- Plots 20-25 - amended layout to accommodate new route of footpath 72
- Changes to site levels.

SITE

The site benefits from planning permission under DM/1167/16/FUL and construction is well underway with houses having been constructed and infrastructure built out. This includes roads and drainage.

Along the northern boundary there is a drainage ditch and beyond that the 'Sandon House development', a large fishing pond and the rear boundaries of dwellings on Sterling Crescent. The eastern boundary of the site abuts the rear boundaries of dwellings on Chestnut Road and Elsham Drive, these properties are a mix of bungalows and dormer bungalows. Along the Brigsley Road boundary are larger detached houses with extensive gardens. The south west boundary of the site is then to the open countryside with a mix of open boundaries and hedges.

RELEVANT PLANNING HISTORY

DM/1167/16/FUL - full for 194 dwellings and outline for 5 dwellings all with associated infrastructure - Refused and Allowed at Appeal (appeal reference APP/B2002/W/18/3212774)

DM/0231/21/CND - Details in Discharge of Condition 6 (Surface/ foul water drainage (dwellings), 8 (Landscape works), 10 (Ecological enhancement/ implementation), 11 (Ground and finished floor levels), 12 (Construction method statement), 13 (Materials), 14, (EV charging), 15 (Remediation), 16 (Investigation and Risk Assessment), 17 (Remediation Scheme), 18 (Implementation of remediation), 20 (Highway construction details) and 21 (Travel plan) pursuant to appeal reference APP/B2002/W/18/3212774 for DM/1167/16/FUL - approved

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF5 - Delivering a sufficient supply of homes
NPPF12 - Achieving well designed places

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO5 - Development boundaries
PO13 - Housing allocations
PO33 - Flood risk
PO22 - Good design in new developments

PO40 - Developing green infrastructure network

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Drainage Officer - no objections

Anglian Water - no objections

Environment Agency - no objections

Highways Officer- no objections

Fire Brigade - comments but no objections

Environmental Health Officer- no objections

Public Rights of Way Officer - no objections, FP72 has been approved to be re-aligned

Ramblers Association - object due to realignment of FP72

Civic Society - object to the proposed surfacing of FP72

Waltham Parish Council - object to the realignment of FP72

Neighbours

The following have objected to the proposed development:

Chestnut Road - 63B, 67, 46, 55, 23 and 42

Elsham Drive - 15, 17, 19

Sterling Crescent - 30, 32, 38

7 Fairway, 86, 92 Brigsley Road, 37 Nicholson Road, 125 Barnoldby Road, Norman Corner House, 13 Cassbrook Drive, 17 Westport, 47 Yew Tree Way, 15 Thorganby Road, 1 Baroness Ct, 15 Grove Lane, 2 Abbots Way, 45 Manor Drive, 14 Southfield.

Objectors have raised concerns over the following matters:

- The realignment of FP72;
- Proposed ground levels would impact on neighbours amenities and drainage;
- Construction issues: noise, dust, piling and working hours, poor state of the site

APPRAISAL

Planning Considerations

1. Principle of Development
2. Footpath 72
3. Drainage and Site Levels
4. Impact on Neighbours
5. Other Matters

1. Principle of Development

The proposal is a variation of the original permission DM/1167/16/FUL which was allowed at appeal. This permission has been implemented with various dwellings under construction and infrastructure installed. It is therefore clear that the principle of the development is very well established and this proposal does not impact upon the principle of the development. The proposal therefore is in accordance with Policies 5 and 13 of the NELLP.

2. Public Footpath 72

It is noted that there have been a number of objections received due to the proposal including the realignment of footpath 72. However, during this application process the applicant has gone through the process of realigning the footpath under s.257 of the Town and Country Planning Act 1990. This was considered and approved by Planning Committee on 4th January 2023 under Ref: PPO046. The subsequent order was confirmed in April 2023 which allows the footpath to be realigned through the open space element of the development therefore allowing for plots 20-25 to be repositioned. In layout terms the route of the footpath is considered acceptable as it now runs through the proposed landscaped open space and not between properties as originally planned.

3. Drainage and Site Levels

The proposal includes details on site levels which were required under condition 11 on the original planning permission. This condition was partially discharged under DM/0231/21/CND. In this application the road and sewer levels were agreed and that ground levels adjacent to neighbouring properties would be retained as the existing levels

and that the levels within the site would be agreed at the relevant time as development progressed. Additional site levels have been provided in this application for plots within the site, these tie in with the road levels and the drainage system. There are areas of the site where levels are raised. This is done in order to effectively drain the site for both surface and foul drainage. The greatest raise in levels is in the north east corner of the site where levels are raised up to 1.4m (to finished floor levels). The garden levels of these plots slope down to the existing levels to ensure minimal impact on the drainage system and natural runoff from the site. The Drainage Officer has reviewed the proposal and has no objections to the proposal.

4. Impact on Neighbours

The proposed amendments to the development on the whole are in areas well away from the neighbouring residential properties. However, there are changes to plots 66-70 and 71-76 which are close to neighbours on Stirling Crescent and Chestnut Drive. The proposed changes are to change the layout from two larger terraces to two pairs of dwellings and smaller terraces of four properties. The properties closest to the neighbours do not change position or mass and so the impact does not change. The proposed amendment is to reduce the amount of piling that is required for the foundations of the properties this is of benefit to the neighbours in regard to amenity through the construction phase. The level changes do not adversely impact on the amenity of neighbours due to the position of these changes.

The proposed changes to plots 93-96 are cosmetic to meet the requirements for accessibility as these plots would be affordable dwellings. There would not be any additional impacts to the neighbours amenities as a result of the proposed changes.

Plots 110-111 have minor changes to the elevations but would not result in additional impacts on the neighbours amenities.

It is therefore considered that the proposed amendments would not result in additional impacts on the neighbours amenities in accordance with Policy 5 of the NELLP.

5. Other Matters

It is noted that neighbours have raised concerns over the impacts they are suffering through the construction process. The application is subject to a detailed Construction Management Plan which the applicant is aware of. This condition will carry through to this application.

The original application was a hybrid; full planning permission for 194 dwellings and outline for 5 dwellings. The requirement of the conditions attached to the appeal in regard to the outline plots to submit the reserved matters has now passed and so those conditions will not be included in this permission.

The original application was also subject to a legal agreement which will need to be

amended to reflect this application.

CONCLUSION

In conclusion, it is considered that the proposed amendments to the approved scheme are acceptable and would not lead to an unacceptable impact on the neighbours residential amenities or flood risk in accordance with Policies 5 and 33 of the NELLP. It is therefore recommended for approval.

RECOMMENDATION

Approved Conditions and signing of S106 with the decision delegated to the Director of Economy and Growth - Place

(1) Condition

The development hereby permitted shall be carried out in accordance with the following approved plans:

155 A0 002F Proposed Site Layout; 155 A0 004C Proposed Landscaped Layout; 155 A0 011A Massing and Separation distances plan; 155 A1 030C Entrance Road; 155 A1 031B Road Details; 155 A1 101 Plots 1, 11; 155 A1 102A Plot 7; 155 A1 103 Plots 10, 134; 155 A1 104A Plots 123, 124, 125, 126; 155 A1 105 Plots 5, 14; 155 A1 106A Plots 9, 133, 155, 157; 155 A1 107A Plots 6, 8, 186; 55 A1 108A Plots 27, 131, 135; 155 A1 109 Plots 4, 19, 33, 152, 156, 164, 179, 189; 155 A1 110A Plots 12, 25, 87, 116, 132, 150, 163; 155 A1 111 Plots 3, 24, 100, 153, 154; 155 A1 112 Plots 2, 13, 23, 26, 32, 99, 101, 151, 158, 159, 180, 188, 190; 155 A1 113 Plots 20, 149, 187; 155 A1 114 Plots 21, 88; 155 A1 115A Plots 181, 182; 155 A1 116 Plots 17, 18, 28, 162; 155 A1 117 Plots 30, 147, 160, 29; 155 A1 118A Plots 15, 16, 22, 31, 145, 146, 148, 161; 155 A1 119A Plots 183, 184, 185; 155 A1 120 Plots 54-55, 89-90, 97-98, 102-103, 191-192, 193-194; 155 A1 121 Plots 119-122, 127-130; 155 A1 122A Plots 52-53, 56-57, 169-170, 85-86, 136-137; 155 A1 123A Plots 117-118, 143-144, 165-166, 67-168; 155 A1 124 Plots 71-76, 104-109; 155 A1 125 Plots 77-80, 81-84, 91-92; 155 A1 126 Plots 93-94, 95-96; 155 A1 127 Plots 112-115, 138-142; 155 A1 128 Plots 39-42, 48-51, 58-61, 62-65; 155 A1 129 Plots 34-38; 155 A1 130 Plots 43-47; 155 A1 131 Plots 66-70; 155 A1 132 Plots 171-174, 175-178; 155 A1 150A Garages sheet 1; 155 A1 151A Garages sheet 2; 155 A1 152A Garages sheet 3 Pump station; 155 A3 28A Location Plan.

Reason

In the interests of proper planning.

(2) Condition

The development shall be built out in accordance with the surface and foul water drainage plans approved under DM/0231/21/CND unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interest of reducing flood risk in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

The development shall be carried out in accordance with the landscaping details, management and timings approved under DM/0231/21/CND and plan ref: 155-A0-004 Rev G unless otherwise agreed in writing by the Local Planning Authority.

Reason

To maintain and enhance the visual appearance of the area in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

Footpath 72 shall be surfaced in accordance with the details on plan ref: 155-002- Rev M and the works complete prior to the occupation of the 10th dwelling on the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interest of pedestrian and local amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) Condition

The development shall be built out in accordance with the Ecological Enhancement Plans, implementation details and management approved under DM/0231/21/CND unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interest of reducing flood risk in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition

The development shall be carried out in accordance with the site levels agreed on application ref: DM/0231/21/CND and those detailed on the following plans:

190801 Rev D

190802 Rev D
190803 Rev C
190803 Rev D

Unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interest of managing flood risk and general amenity in accordance with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(7) Condition

The development shall be built out in accordance with the Construction Management Plan approved under DM/0231/21/CND unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interest of amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(8) Condition

The development shall be built out in accordance with the external materials schedule detailed on plan ref: 155-A0-005-REV C unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interest of reducing flood risk in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(9) Condition

Within three months of the date of permission a final scheme to allow for the future inclusion of individual electric car charging points for each property following the details discharged under application DM/0231/21/CND shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the details approved prior to the occupation of the dwelling hereby permitted to which it relates and shall be so retained thereafter.

Reason

In the interest of air quality to accord to Policy 2 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(10) Contamination

The approved remediation scheme under DM/0231/21/CND must be carried out in

accordance with its terms unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority prior to the occupation of any dwelling or in accordance with a phasing so agreed in writing with the Local Planning Authority.

Reason

To ensure that contamination is dealt with appropriately to accord with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(11) Condition

If during redevelopment contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. All remediation shall be carried out in accordance with the details approved.

Reason:

To ensure that any previously unconsidered contamination is dealt with appropriately and to accord with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(12) Condition

The development shall be built out in accordance with the Highway Construction Details approved under DM/0231/21/CND unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interest of amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(13) Condition

The Travel Plan approved under DM/0231/21/CND shall be fully implemented in accordance with the terms set out within it unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interest of amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Informatives

1 Informative

This application will require the creation of new postal addresses. You are advised to contact the Street Naming & Numbering Team on 01472 323579 or via email at snn@nelincs.gov.uk to discuss the creation of new addresses.

2 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

3 Added Value Statement

Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by negotiating with the applicant.

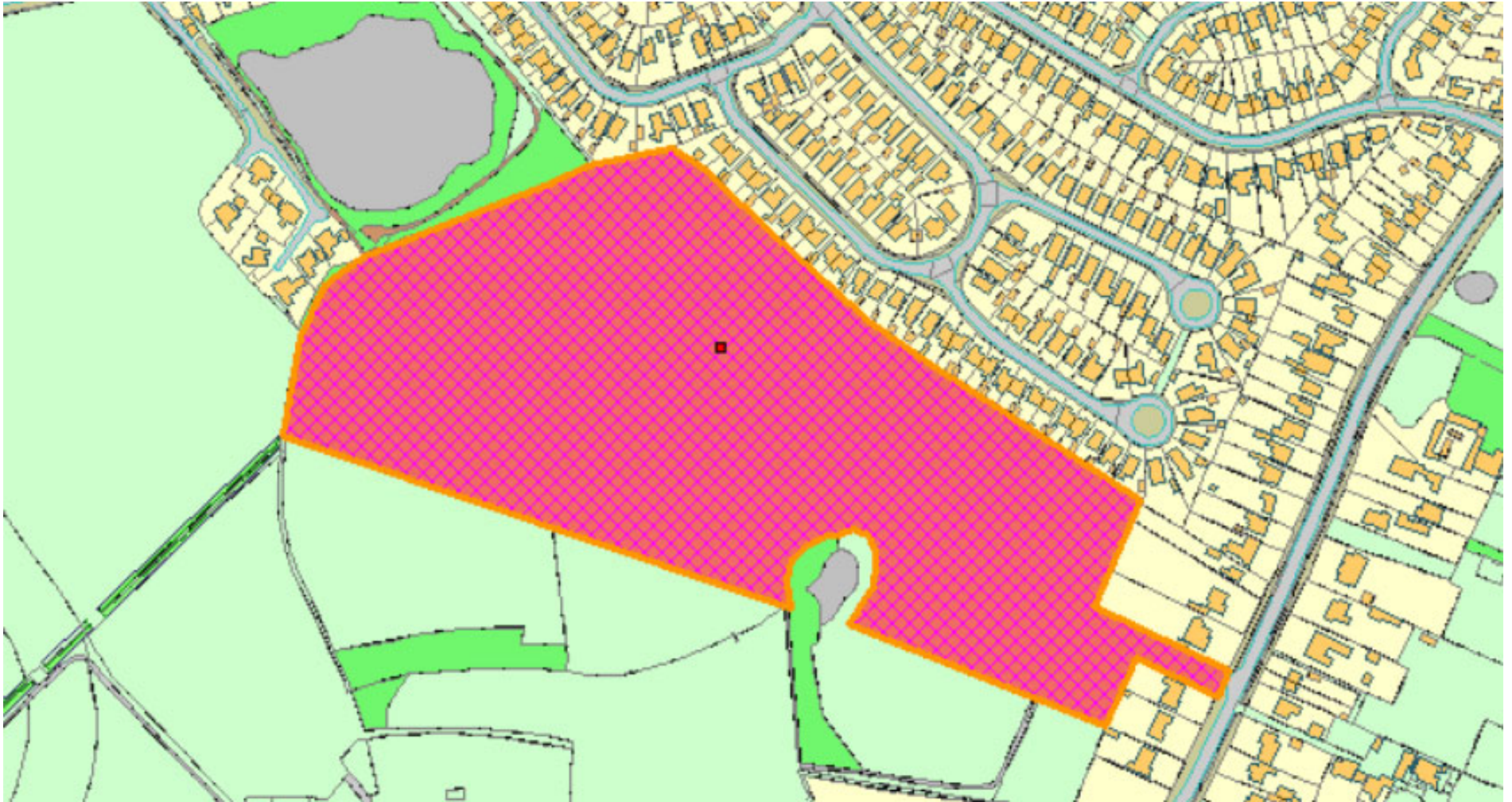
4 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies, 5, 22, 33, 41 and 42.

5 Informative

The applicant should be aware that the outline permission element of DM/1167/16/FUL has now expired and cannot be implemented.

DM/1222/21/FUL – LAND AT BRIGSLEY ROAD, WALTHAM



DM/1222/21/FUL – LAND AT BRIGSLEY ROAD, WALTHAM



PLANNING COMMITTEE - 12th July 2023

ITEM: 11 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0270/23/FULA

APPLICATION TYPE: Accredited Agent - Homeholder application

APPLICATION SITE: 83 Humberston Fitties, Humberston, North East Lincolnshire, DN36 4EU

PROPOSAL: Retrospective planning permission for the erection of decking to front and rear and pergola to rear and installation of grassed areas to replace gravel

APPLICANT:

Mr Keith Newsum
83 Humberston Fitties
Humberston
North East Lincolnshire
DN36 4EU

AGENT:

Miss Mia Redburn
Ross Davy Associates
Pelham House
1 Grosvenor Street
Grimsby
North East Lincolnshire
DN32 0QH

DEPOSITED: 24th March 2023

ACCEPTED: 31st March 2023

TARGET DATE: 26th May 2023

PUBLICITY EXPIRY: 23rd June 2023

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY:

CASE OFFICER: Becca Soulsby

PROPOSAL

The proposal is retrospective and seeks planning permission to retain decking to the front and rear, a pergola to the rear and seeks to install grassed areas to replace some of the existing gravel.

The application is brought to planning committee for determination due to receiving 4 public objections and an objection from Humberston Village Council.

SITE

83 Humberston Fitties is situated within the Humberston Fitties chalet park which is also a conservation area. Surrounding the site are other holiday chalets of similar size and appearance though building materials do differ either being finished in render or timber cladding.

RELEVANT PLANNING HISTORY

DM/0725/16/FUL - Demolish existing chalet and 3 garden sheds and erect single storey holiday chalet - Approved with conditions.

DM/0623/17/FUL - Variation of Condition 7 (approved plans) attached to planning permission DM/0725/16/FUL (Demolish existing chalet and 3 garden sheds and erect single storey holiday chalet) alterations for brick pillars to be replaced with continuous brickwork, amendments to rear elevation and fence detail included - Approved with conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF16 - Conserv. & enhance the historic environ.

NPPF12 - Achieving well designed places

NPPF14 - Climate, flooding & coastal change

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO34 - Water management

PO39 - Conserve and enhance historic environ

PO5 - Development boundaries

PO22 - Good design in new developments

PO33 - Flood risk

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Consultees

Highways - Approval no conditions.

Heritage - No objections to pergola and decking at the rear. Removal of some of the gravelled area is welcome. Any unnecessary lighting should be removed. The removal of gravel to the front will mitigate visual impact of decking at the front.

Environment Agency - Not necessary to consult due to minor nature of development.

Humberston Village Council - Objections - the Village Council would support the comments made by the Heritage Officer. The hard landscaped areas still need to be reduced with the removal of further gravel, the lighting should be reduced, and any unnecessary lighting or timer devices removed and materials need to be clarified.

Environmental Health - No comment.

Grimsby, Cleethorpes & District Civic Society - Comment querying the materials used and state that materials should be sympathetic.

Neighbours

85 Humberston Fitties - Objection in relation to lighting and potential impacts on wildlife.

101 Humberston Fitties - Objection in relation to decking, lighting, gravel and satellite dish.

9 The Green, Ashborne - Objection in relation to application not addressing external breaches.

4 Clayfield Avenue, Mexborough - Objection in relation to hot tub, lighting, decking and satellite dish.

APPRAISAL

Material Considerations

Principle of Development

The chalet is located within the Fitties conservation area and is set within the resort area. Policies 5 and 39 of the North East Lincolnshire Local Plan (NELLP) 2018 apply. Policy 22 will also be used to assess the proposal. The proposal accords with the aforementioned policies in principle and is subject to the site-specific discussion below.

Design and Heritage

The application site is located within the Humberston Fitties Conservation Area. The retrospective works to the front of the chalet include the installation of decking and gravel. Retrospective works at the side of the chalet include the installation of gravel. At the rear, the retrospective works include a pergola, decking and the installation gravel. This application proposes to remove the authorised satellite dish, fence and lighting currently present as well as the artificial grass and to replace parts of the existing gravel with grass.

In respect of materials, the decking and fence installed are of a natural timber. The pergola is constructed from timber and painted white, with a plastic corrugated sheet roof. The gravel currently in situ is white stone gravel.

The Heritage Officer has expressed no objections to the decking and the pergola at the rear of the chalet, with the removal of some of the gravelled areas being a welcome amendment. The removal of some of the gravel to the front will assist in mitigating the visual impact of the decking at the front of the chalet. In respect of the lighting, this is proposed to be removed as indicated on the proposed plans which is supported.

Decking and pergolas are accepted structures under the Humberston Fitties Design Guide, as is the use of gravel. There is a minimum of 2m from the side and rear plot boundaries to the structures. The fence is to be removed, as is the lighting and satellite dish. Further gravelled areas have been removed at officer request.

The proposal as amended is therefore considered to be acceptable to the area character and Conservation Area in accordance with Policies 5, 22 and 39 of the NELLP 2018.

Neighbouring Amenity

The application site adjoins 81 and 85 Humberston Fitties to the sides, 19 Humberston Fitties at the rear and 82 Humberston Fitties to the front.

Four neighbour representations have been received in objection to the retrospective works included within this application. The comment received from 85 Humberston Fitties was in respect of the lighting. The objection is acknowledged, however the existing lighting on the chalet is proposed to be removed as part of this application. 101 Humberston Fitties objected to the decking, lighting, gravel and satellite dish. The comment is acknowledged, however the lighting and satellite dish currently in situ are proposed to be removed through this application. In respect of the decking and gravel, these have been addressed in the design and heritage section above and it should be noted the gravelled areas have greatly been reduced. 9 The Green objected to the proposal as the application does not address the external breaches of planning on the chalet. In response to this, this application addresses all retrospective works undertaken to the chalet and is seeking to regularise this as well as make improvements to works already undertaken. 4 Clayfield Avenue objected to the hot tub, lighting, satellite and

decking. In response to this, the hot tub does not require planning permission and therefore cannot be considered under this application. As previously stated, the lighting and satellite dish currently in situ are proposed to be removed. The decking has been addressed in the design section above.

The retrospective works sit closest to the boundary with 85 Humberston Fitties. The decking at the front and the rear of the chalet is situated away from the boundary, albeit being visible from the neighbouring chalet. The main impacts are on a visual basis and are not deemed adverse.

The decking, pergola and gravel installed at the rear of the chalet sit closest to the boundary with 19 Humberston Fitties, however there is an access which creates separation between the boundaries of these chalets. The pergola and decking installed are visible from this chalet, however the impacts to this neighbour are considered acceptable due to the separation between the boundaries.

The retrospective works are visible from other chalets and within the street scene, however in light of changes secured through this application, these not considered to cause a detrimental impact to neighbouring chalets and the application is therefore considered to be in accordance with Policy 5 of NELLP 2018.

Other Considerations

The Council's Highways, Drainage and Environmental Health Officers raised no objections to the application. Humberston Village Council objected to the application in respect of reducing the areas of gravel further as well as removing any unnecessary lighting. In response to this and as stated, the applicant has significantly reduced the existing gravelled areas twice with grass proposed in place of this. The lighting is proposed to be removed. The Environment Agency did not provide comment due to the minor nature of the development and the lack of increase to flood risk. The Grimsby, Cleethorpes & District Civic Society commented on the proposal to request details of the materials used in respect of the gravel, this was provided to them by email.

The proposal is therefore considered to be in accordance with Policies 5 and 33 of NELLP 2018.

CONCLUSION

The application as amended would not harm the Humberston Fitties Conservation Area, nor have an adverse impact on neighbouring chalets. The proposal is deemed to be in accordance with Policies 5, 22,33 and 39 of the NELLP 2018.

The application is therefore recommended for approval. It is recommended however, that the decision be delegated to the Assistant Director for Housing and Infrastructure to allow the expiry of the Certificate B.

RECOMMENDATION

Approved with Conditions

(1) Condition

Within three months from the date of this permission, the existing gravelled areas proposed to be removed, as well as the external lighting, fence and satellite dish shall be removed as shown on drawing no. RD:5390-04-REV-H and the new grass laid. The site shall be retained as approved thereafter.

Reason

In the interests of heritage and amenity, to accord with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(2) Condition

The development shall be completed in accordance with the following plans:

RD5390 - 01 - REV - 0 - Site Location Plan

RD5390 - 04 -REV - H - Proposed Block Plan, Floor Plans and Elevations

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 22, 33 and 39 the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition

The proposal shall be completed using the materials specified within the application form and on the approved plans unless otherwise first approved in writing by the Local Planning Authority.

Reason

This condition is imposed in the interests of design considerations in the context of the existing buildings in order to comply with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal, as amended, would not

harm the area character or neighbouring amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular Policies 5, 22, 33 and 39.

2 Added Value Statement

Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by adding conditions to protect the area character.

DM/0270/23/FULA – 83 HUMBERSTON FITTIES, HUMBERSTON

