

Planning Committee Dated: 28th February 2024

Summary List of Detailed Plans and Applications

	Recommendation: Approved with Conditions
Item:	1
Application No:	DM/1133/23/FUL
Application Type:	Full Application
Application Site:	Haven Cleethorpes Beach (Thorpe Park Holiday Camp) Anthonys Bank Road Humberston North East Lincolnshire
Proposal:	Retrospective redevelopment of outdoor activities area with associated landscaping, drainage and underground infrastructure
Applicant:	Haven Leisure Ltd
Case Officer:	Emily Davidson

	Recommendation: Approved with Conditions
Item:	2
Application No:	DM/0942/23/FUL
Application Type:	Full Application
Application Site:	Scout Hut Waltham Road Grimsby North East Lincolnshire
Proposal:	Hybrid application seeking Full Planning Permission for the demolition of the existing buildings and Outline Planning Permission for the erection of up to 4 dwellings with access to be considered
Applicant:	Brocklesby Estate
Case Officer:	Jonathan Cadd

Recommendation: Refused

Item: 3

Application No: DM/0997/23/FUL

Application Type: Full Application

Application Site: The Grange Aylesby Road Great Coates North East Lincolnshire

Proposal: Erect four dwellings with associated access, parking, landscaping and boundary treatments

Applicant: Mr and Mrs G Cooper

Case Officer: Richard Limmer

Recommendation: Approved with Conditions

Item: 4

Application No: DM/0711/23/FUL

Application Type: Full Application

Application Site: 338 Wellington Street Grimsby North East Lincolnshire DN32 7JR

Proposal: Partial change of use from a single residential dwelling to a Chinese herbal clinic (Class E) at ground floor and residential accommodation to ground and first floors to include the erection of a 1.2 metre high wall with railings to the front and installation of a shopfront at ground floor (Amended Description and Amended Plan received 17th January 2024 to reduce height of wall to the frontage)

Applicant: Yumi Au Yang

Case Officer: Bethany Loring

Recommendation: Refused

Item: 5

Application No: DM/0025/24/FUL

Application Type: Full Application

Application Site: 61 Glebe Road Humberston North East Lincolnshire DN36 4JP

Proposal: Alterations to create roof terrace above existing double garage and passage, to include metal railings and timber fence to surround with external metal staircase to rear

Applicant: Mr Haydon Dawkins

Case Officer: Bethany Loring

Recommendation: Refused

Item: 6

Application No: DM/1219/23/FUL

Application Type: Full Application

Application Site: 10, 12 And 16 Abbey Walk Grimsby North East Lincolnshire DN31 1NB

Proposal: Replace existing first floor timber windows with uPVC windows and associated works

Applicant: Mr John Wilmot

Case Officer: Becca Soulsby

PLANNING COMMITTEE - 28th February 2024

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

APPLICATION No: DM/1133/23/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: Haven Cleethorpes Beach (Thorpe Park Holiday Camp),
Anthonys Bank Road, Humberston, North East Lincolnshire, DN36 4GG**

**PROPOSAL: Retrospective redevelopment of outdoor activities area with
associated landscaping, drainage and underground infrastructure**

APPLICANT:
Haven Leisure Ltd
1 Park Lane
Hemel Hempstead
HP2 4YL

AGENT:
Mr Casey Smith
Lichfields
3rd Floor
15 St Paul's Street
Leeds
LS1 2JG

DEPOSITED: 21st November 2023

ACCEPTED: 21st November 2023

TARGET DATE: 16th January 2024

PUBLICITY EXPIRY: 26th January 2024

**AGREED EXTENSION OF TIME DATE: 4th
March 2024**

**CONSULTATION EXPIRY: 16th December
2023**

CASE OFFICER: Emily Davidson

PROPOSAL

The proposal is for the retention of outdoor activities area with associated landscaping, drainage and underground infrastructure. The works include:

- Jump tower, jump bag and climbing wall
- Low Ropes
- Storage containers
- Sweet treats unit
- High ropes
- Big play area
- Refurbishment of MUGA
- Refurbishment of archery range

- Crazy golf
- Container bar and seating area
- Stage and giant screen
- Ranger station
- Activities hub and toilets
- Bungee trampolines
- Lighting
- 3 metre acoustic fence

As referenced in the planning history, a planning application for the same scheme was refused by planning committee on 3rd March 2023. The actual position of the elements of works including the stage are the same as refused. In relation to the new submission, the agent notes the following differences from the last scheme:

- Consultation with interested parties from Humberston Fitties.
- Further noise assessments.
- Limited hours for the stage.
- Installation of an acoustic fence.

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

SITE

Haven Cleethorpes Beach (formerly 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. The area is one of holiday use close to the beach and sea. To the east lies the Fitties Conservation Area. The proposal is located within the main entertainment complex area for the site which includes the leisure pool and food and drink offerings and associated facilities.

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/0527/22/FUL - Retrospective redevelopment of an outdoor activities area with associated landscaping, drainage and underground infrastructure. Refused at Planning Committee for the following reason;

'The development by reason of noise and disturbance is detrimental to local amenity and in particular to users of the Humberston Fitties site. This resultant noise and disturbance is also detrimental to the Humberston Fitties Conservation Area. The development is therefore contrary to Policy 5 and 39 of the North East Lincolnshire Local Plan 2103-2032 (Adopted 2018) and the core principles of the National Planning Policy Framework.'

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF12 - Achieving well designed places

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

PO5 - Development boundaries

PO12 - Tourism and visitor economy

PO22 - Good design in new developments

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

Highways Officer - No comments.

Heritage Officer - No heritage input required.

Ecology Officer - Content with noise management plan and recommends it is adhered to.

Trees and Woodlands Officer - Content with information provided.

Humberside Fire and Rescue - Adequate provisions should be made for firefighting requirements.

Drainage Officer - The proposed scheme is acceptable.

Natural England - Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the Humber Estuary

SSSI, SPA, SAC and Ramsar site and has no objection to the proposed development.

Humberston Village Council - Objects that the stage is not located in the approved position.

Civic Society - Objects to the application.

Environment Agency - No objections. Recommend the need for an evacuation plan.

Neighbour Representations

Support:

Comments made broadly on the grounds of: The development brings jobs and custom to the area and is good for the economy. The noise is controlled. Offers affordable holiday accommodation. Attractive design.

Within the NEL borough:

5 Youngs Place

Outside the NEL borough:

21 Fiddlers Mill Wood Street, Bingley. 5 Tarrant Walk, Coventry. 21 Station Road, Hessle. 38 Hoylake Drive, Mexborough. 3 Pasture Croft, Rotherham. 5 Moorside Crescent Hall Green, Wakefield.

Objections:

Comments made broadly on the grounds of: Disturbance from noise. The proposal presents a safety hazard. The application is retrospective. The application is contrary to planning policy. Implications to ecology. The application was submitted in the closed season for the Fitties. Negatively impacts the conservation area. No consultation has been carried out with residents. A perceived favouring of Thorpe Park over the Fitties. Impact to the possible UNESCO status.

Within the NEL borough:

3 Haile Road, 77 Elliston Street, 405 Breerton Road. 294 Convamore Road. 33 Fairfax Road. 9 Great Coates Road. 9 Iona Drive. 24 Kings Road. 14 Newlands Park. 49 Robert Pearson Mews. 12 Welholme Road. 10 Wintringham Road. 10, 13, 18, 30, 32, 34, 37, 38, 46, 54, 56, 60, 69, 85, 87, 101, 112, 132, 141, 142, 144, 147, 148, 151, 153, 165, 173, 175, 182, 185, 188, 193, 229, 251, 252, 253, 255, 259, 263, 266, 268, 284, 300a, 310a, 313, 314b, 317a Humberston Fitties.

Outside the NEL Borough:

11 Eddy Road, Altershot. Ivy Cottage Main Road, 9, Bramble Cottage, The Green, Ashbourne. 1 Hopwas Close, Averham. 115 Elbridge Crescent, Bognor Regis. 9 Park House Crescent, Bradford. 3 Pearmain Court, Cambridge. 11 New Road, 61 Worcester Crescent, Derby. 4 Clayfield Avenue, 2 Low Road, Doncaster. 7 Main Street, Elloughton. 9 Lancaster Green, Gainsborough. 16 Wold View, Holton le Clay. 13 Banks Street, Horncastle. Fields Way, Huddersfield. 370 Broad Lane, Leeds. Flat 9 Victoria Gardens 195 London Road, Leicester. Pingley House 5 Hopwas Close, Newark. 80 Elvendon Road, Oxford. 40 Hope Avenue, Rotherham. 50 St Albans Close, Scunthorpe. 93 Industry Street, Sheffield. St Leonards, 17 Sylvan Avenue, Woodhall Spa.

APPRAISAL

Planning Considerations

- 1) Principle of Development
- 2) Design and Heritage
- 3) Noise
- 4) Neighbouring Amenity
- 5) Ecology
- 6) Other Considerations

- 1) Principle of Development

The proposal is located within the resort area of Humberston and Cleethorpes as defined in the North East Lincolnshire Local Plan (NELLP 2018). Policy 12 of the Local Plan applies and seeks to promote the tourism offer of the Borough through protecting environmental resources. The principal use of the site is well established with the proposal adding to the facilities available. It serves to enhance the visitor economy of Cleethorpes.

It is also noted that the majority of the elements which are proposed have been previously approved under application DM/1037/21/FUL. However, the position of many of these has been altered from the previous approval. All of the items on this proposal are therefore of a retrospective nature. The planning history is referenced in this report and it is acknowledged that a retrospective application to regularise the situation was refused at planning committee on 3rd March 2023 under planning reference DM/0527/22/FUL.

It is considered that in principle the development is acceptable and it falls to judge the development against the site specifics as discussed below.

- 2) Design and Heritage

The application includes the refurbishment and installation of a number of outdoor attractions and services associated with the holiday park. These are available for visitors

staying on the site. Attractions such as these are commonplace in complexes such as this one. The majority of these elements were approved under DM/1037/21/FUL and this application seeks to amend their locations. Some of the equipment is reasonably high, however, these are somewhat expected in the resort area and are set well within a part of the site which includes major buildings and a leisure pool with associated slides. The updating of the park in this manner is not considered to detract visually and indeed enhances the facilities and impression of this major resort area. From outside the site visual intrusion is minimal due to the existing character of the area, existing buildings and structures and landscaping.

Objections have noted impacts to the nearby conservation area, Humberston Fitties both visually and by noise disturbance. Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires planning applications to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and historic buildings. Policy 39 of the NELLP and advice in the National Planning Policy Framework also seek the consideration of development in terms of heritage impact.

There is minimal visual impact on the area given the location of the works as noted. The works are considered to be assimilated by the existing site. Moreover, both the host site and Humberston Fitties are located within an allocated resort area, and it is considered that there is an expectation of activities in the surrounding area associated with holiday uses. Reference has also been made to a 'tentative' UNESCO World Heritage designation and the impact the proposal would have on this. This designation is in relation to wetlands as part of a wider coastal network along the country. The resort area is well established in this area and for the reasons stated above it is not considered that the proposals detract from the natural beauty of the area. The Council's Heritage Officer raises no objections to the application. Neither does the Ecology Officer as noted below.

The proposed acoustic fence is considered acceptable in design terms. Whilst it is proposed to be 3 metres in height it is situated in the service yard area and will be well screened from main public view by existing banking and landscaping.

In respect of design, heritage and visual impact the application is considered to accord with Policies 5, 12, 22 and 39 of the NELLP 2018.

3) Noise

The majority of the comments received have been in relation to the noise of the installed stage with associated loudspeakers. A noise report has been received and has been assessed by the Council's Environmental Protection Officer. There has been full consultation and close working with the Council's Environmental Protection Officer on this matter. The Environmental Officer has deemed that the updated noise report is suitable for the proposal and there would not be an undue impact on neighbouring or local properties or chalets from the proposal, in particular from the stage. To ensure the proposal remains acceptable, the officer has recommended a condition that the proposal

is carried out in accordance with the noise report and management plan submitted and additionally, a condition is recommended to control the times of externally amplified entertainment. The application includes the installation of a 3m acoustic fence. The proposal is considered acceptable without this additional measure, but its inclusion in the application has been suggested by the applicant as a betterment. It would aid in the reduction of overall noise from the site especially from the service yard. With regard to other activities, it must be acknowledged that the site is a well-established holiday park in a resort area and general usage of the leisure activities is not considered detrimental. Neighbouring sites are also holiday areas though it is acknowledged that the Fitties is a different offering to Thorpe Park and users of this site enjoy and appreciate the more reserved nature of it. This is reflected in the representations received and is indicative of its tourism value. This has been taken into account in the negotiations and considerations of noise impact.

Paragraph 185 (now paragraph 191) of the National Planning Policy Framework (NPPF) has been quoted by objectors. This paragraph seeks to ensure that new development does not 'pollute' health, living conditions and the natural environment with adverse noise or light pollution as well as identifying tranquil areas which have remained 'relatively undisturbed' by noise. The objectors raise concerns in relation to this paragraph with regard to the Humberston Fitties conservation area. As addressed above, both the host site and the neighbouring, aforementioned conservation area are within an allocated resort area and are both, in planning terms, long established holiday areas within a seaside resort. It is not considered that this should weigh against the proposal especially when also considered along with the fact that the noise report demonstrates that there won't be adverse impact on neighbours.

Having regard to the above it is considered that the development is acceptable in terms of noise and impact on local amenity and therefore accords with Policy 5 of the NELLP 2018.

4) Neighbouring Amenity

With respect to the impact of the development on neighbouring amenities, noise is addressed above. Regarding such matters as massing, overlooking and loss of light there are no residential properties in the vicinity but as stated there is the Fitties chalet park to the east. However due to separation distances and screening by existing buildings and landscaping it is considered that there are no adverse physical impacts on amenity.

In terms of the retrospective nature of the application the planning system allows for retrospective applications to be submitted and considered in the same way as a proposed scheme. There is no duty on Thorpe Park to undertake consultation and all applications are determined on their planning merits and not to favour one party against another. It has also been noted that the application has been submitted in a closed period for Humberston Fitties. There is no stipulation that planning applications must be submitted at a specified time. Consultation was undertaken with parties who had shown an interest in previous, similar applications and indeed the substantial number of responses received

demonstrate that the application has been noted by those who wished to comment.

Overall, and taking all representations into account, it is not considered that there are adverse impacts to neighbouring amenity to justify objection to the planning application. The development in that respect is in accordance with Policy 5 of the NELLP 2018.

5) Ecology

Objections have been received as to the possible disturbance to wildlife in the area, particularly, as the site is close to the ecologically protected Humber Estuary. Comments have been received from Natural England confirming that likely significant effects can be ruled out. This is particularly in relation to noise and the details in the noise impact assessment. In terms of the physical development of the site there are no ecological concerns as this is an already developed and busy area of the site. The Council's Ecologist also concludes this. In terms of ecology the development is considered to be in accordance with Policy 41 of the NELLP 2018.

6) Other Considerations

The Council's Highways, Trees and Woodlands and Drainage Officers raise no objections to the proposal. In relation to flood risk the site is within a high flood risk area but the development does not consist of accommodation and is within an existing complex. There are no flood risk concerns. The Environment Agency raise no objections.

CONCLUSION

The application relates to an investment into a major holiday destination in Cleethorpes. It supports the existing site and supports the visitor economy for the Borough. With the appropriate conditions, the proposal is not considered to harm the amenity of the surrounding holiday chalets or the character of the area or Fitties Conservation Area. The application is considered in accordance with Policies 5, 12, 22, 34, 39 and 41 of the NELLP 2018 and is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Site Location Plan - 2124-AV-001

Existing Site Plan - 2124-AV-009

Proposed Site Plan - 2124-AV-019-REV03

Proposed Site Plan with Annotations - 2124-AV-020-REV02

Details for:

Activity Hub - 3132A.5.112A

Stage - 3132A.5.113A, 3132A.5.114

Ranger Station - 3132A.5.115A

Jump Tower and Jump Bag - 3132A.5.120A, 3132A.5.119A

MUGA - 3132A.5.116A

Kart and Bike Hire Canopy - 3132A.5.117A

Bungee Trampoline - 3132A.5.118A

Crazy Golf - 3132A.5.121A

Container Bar - 3132A.5.122B, 3132A.5.123

Seaside Treats Container - 3132A.5.124A, 3132A.5.125

Low Ropes - 3132A.5.126A

High Ropes - 3132A.5.127A

Play Equipment - 3132A.5.128A

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 12, 22, 34, 39 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(2) Condition

The development shall only operate in strict accordance with the Noise Report and Management Plan reference 2061219-RSKA-RP-003-(02) received by the Local Planning Authority on 21/11/2023 unless otherwise submitted and approved in writing by the Local Planning Authority. No amplified outdoor entertainment shall be undertaken between 22.00 hours and 09.00 hours on the following day with the stage not used between 22.00 hours and 09.00 hours on the following day.

Reason

In the interests of local amenity to accord with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

Within 12 months of the date of this decision, or within such longer time as may be agreed in writing with the Local Planning Authority, the landscaping arrangements detailed on plans W2505 1001_F (Hard Landscaping), W2505 1002_F (Soft Landscaping) and W2505 MP01_F (Landscape Masterplan) shall be implemented. All planting shall thereafter be maintained for a period of 5 years with all losses in that period replaced with the same plant and standard.

Reason

In the interest of visual amenity to accord to Policy 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

The proposed acoustic fence shall be installed within 6 months of the permission hereby granted and prior to its installation, final details of its design and finish shall be submitted to and agreed in writing by the Local Planning Authority. Such detail shall include the retention and management of the planted area to the east of the fence as shown on the landscape masterplan W2505 MP01_F. The fence and landscaping shall then remain in accordance with these details unless otherwise agreed in writing by the Local Planning Authority.

Reason

This condition is imposed in the interests of design and amenity considerations in order to comply 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 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, 12, 22, 34, 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 adding conditions to protect amenity.

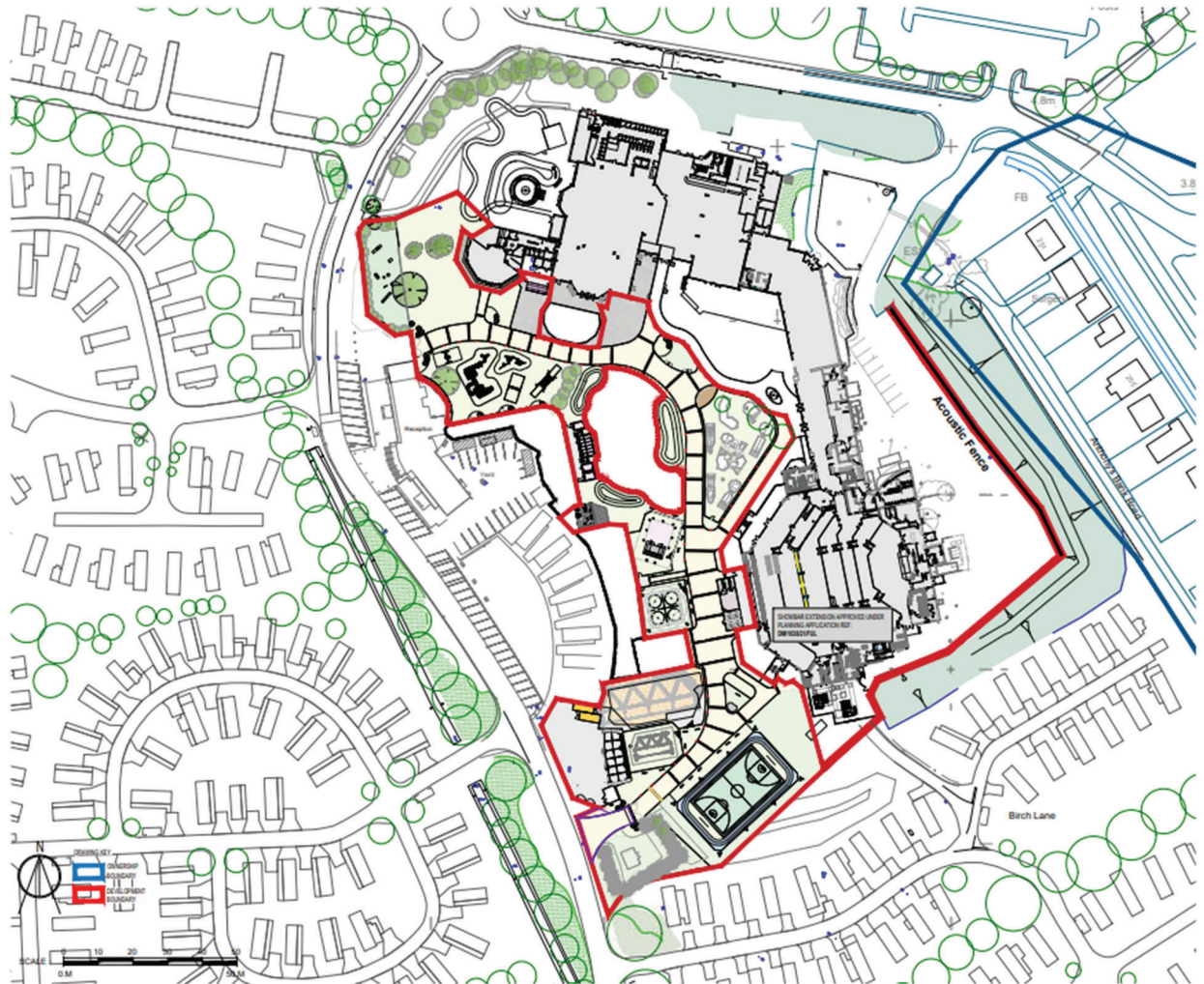
3 Informative

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/1133/23/FUL – HAVEN CLEETHORPES BEACH (THORPE PARK HOLIDAY CAMP),
ANTHONY'S BANK ROAD, HUMBERSTON



DM/1133/23/FUL – HAVEN CLEETHORPES BEACH (THORPE PARK HOLIDAY CAMP),
ANTHONY'S BANK ROAD, HUMBERSTON



PLANNING COMMITTEE - 28th February 2024

ITEM: 2 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0942/23/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Scout Hut, Waltham Road, Grimsby, North East Lincolnshire, DN33 2LX

PROPOSAL: Hybrid application seeking Full Planning Permission for the demolition of the existing buildings and Outline Planning Permission for the erection of up to 4 dwellings with access to be considered.

APPLICANT:
Brocklesby Estate
Estate Office
Brocklesby Park
Grimsby
DN41 8PN

AGENT:
Mr James Rigby
Knights
Olympic House
995 Doddington Road
Lincoln
LN6 3SE

DEPOSITED: 22nd September 2023

ACCEPTED: 22nd September 2023

TARGET DATE: 17th November 2023

PUBLICITY EXPIRY: 12th January 2024

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 22nd October 2023 **CASE OFFICER: Jonathan Cadd**

PROPOSAL

This outline application seeks permission to erect two bungalows and two dwellings with access from Waltham Road. All matters are reserved except for access.

The access would be to Scartho fork roundabout via an existing access between 6 and 8 Waltham Road. The access would be 5m in width for a length of 10 metres. An indicative plan has been submitted showing the houses/bungalows to the rear main part of the site. A terrace design has been shown with bungalows positioned at each outer edge and houses to the centre. Car parking would be to the eastern portion of the site.

The development is presented to the planning committee at the request of the Ward Councillor and the level of objection.

SITE

The application site is the old scout hut to the rear of 6 - 12 Waltham Road accessed from a narrow access lane between 6 and 8 Waltham Road. The main part of the is approximately 44m by 38m and is roughly rectangular in shape. The site has an 'L' shaped CLASP type concrete building to the northern side of the site with the main lawned area to the south. The site includes a number of mature trees notably to the western boundary of the site and a smaller number to the south. These trees are protected under the conservation area designation. The access road is a narrow tarmac track between 6 and 8 Waltham Road which accesses the roundabout at Scartho fork.

To the east are dwellings fronting Waltham Road. To the north east of the access 2- 6 Waltham Road are terrace brick two storey estate cottages with a blank elevation facing the access. To the south is 8 Waltham Road a large, detached house which is directly adjoins the access road and also the footpath at Waltham Road, the dwelling has several secondary windows facing onto the access. 10 and 12 Waltham Road are a more modern semi-detached pair of houses that are set back from Waltham Road and have short rear gardens backing onto the main site. To the west of this is 14 Waltham a large semi-detached villa with a long rear garden that extends to the south of the application site. All of these properties have windows with face onto the site either directly or indirectly. To the west of the site are large, detached dormer dwelling type properties and bungalows fronting Pelham Avenue. To the north is Pelham Place which has a mixture of designs, but no. 3 is a two storey dwelling which is within 1m of the site boundary and has a number of habitable windows which would directly overlook the site.

The site falls within the Scartho Conservation Area and is close to Scartho Local Centre.

RELEVANT PLANNING HISTORY

None relevant

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

- NPPF2 - Achieving sustainable development
- NPPF5 - Delivering a sufficient supply of homes
- NPPF8 - Promoting healthy and safe communities
- 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)

PO3 - Settlement hierarchy
PO4 - Distribution of housing growth
PO5 - Development boundaries
PO6 - Infrastructure
PO15 - Housing mix
PO17 - Housing density
PO22 - Good design in new developments
PO29 - Social and cultural places
PO33 - Flood risk
PO36 - Promoting sustainable transport
PO38 - Parking
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

Cadent Gas: No objection but request advice note

Heritage Officer: Potentially little development has occurred on this site in the last 1000 years on this site. There has been several pre Saxon finds else where so it is possibly that the site could have archaeological interest on the site. Request archaeological works condition. The site is set back from the street and only slightly visible. As such it will be a negligible impact on the street scene. The site did not form part of gardens etc so it would not impact on the historic mapping and understanding of the area. Although at outline, the plans show a sympathetic design could be created. The effect of the development on this site would represent less than substantial harm and there are no heritage objections subject to detailed designs.

Highways: The site currently benefits from an access onto the adopted highway and the current use of the property generated vehicular traffic from the site into the roundabout. The applicant has shown that the first 6m can be widened to 5m to ensure vehicles can pass each other and no queuing would occur onto the highway. As such the Highway Authority is content that the introduction of 6 dwellings on this site would not severely impact on the adopted highway network. Requires proposals for bin store and construction management condition.

Grimsby and Cleethorpes Civic Society: Serious issues in terms of vehicular access and egress from this site due to the proximity to the roundabout, traffic islands and bollards. Over development which further increases concerns.

Environmental Protection: Request conditions: construction/ demolition hours, construction management, EV charging points, unexpected contamination condition and asbestos informative.

Trees and woodlands: (in summary) Does not dispute classification of trees, some of which should be removed whether development occurs or not. However, this and the other C category trees would open up the western boundary to properties at Pelham Road and further consideration should be given to screening and replacements. The indicative planting scheme needs to be detailed and this should be conditioned.

Drainage: Site should be drained via a fully sustainable scheme, sand and gravel subsoil suggests this may be possible. Recommends condition for this and advice notes on ground level rises and no surface water run off onto highway.

Ward Councillor: Insufficient access to main road, alterations within the conservation area and over intensification. Request therefore that the application be considered by the planning committee.

Site Notice and Neighbours:

20 Waltham Road, 79 Woodhall Drive, 37 Hamstead Park

Objection summary:

- increase in traffic and pollution as houses would generate more traffic than the Scout use and at more peak periods.
 - serious concerns over vehicles access safety of traffic and pedestrians (the house at no.8 is right next to the access limiting views of pedestrians using the footpath).
 - changing a village into a housing estate.
 - loss of green space.
 - Concern over loss of boundary trees and hedges which add greatly to the attractive nature of area.
 - Maintenance of trees close to boundaries - new fence would be better.
 - Designs which have some benefits could change radically at reserved matters stage.
- Single storey elements key.
- Concerns over potential for impact on existing properties from vibration during construction.
 - Over development too many housing units - very close to neighbours, dominance and loss of privacy

4 Pelham Place - Support

Requests clarification of future maintenance of trees and hedges if the development proceeds and that a fence be erected boundary to compensate for the noise and nuisance of development.

14 Waltham Road - Neutral

- Proposal should provide an opportunity for the developer to create proper and secure boundary treatment (fences).
designs should be sympathetic to the area - designs looks appropriate in character terms but this is just an outline application so could change at reserved matters stage.
- Single storey outer wings close to existing houses to the north and south are positive and should be followed through to reserved matters stage.
- Reference to trees and impact of removal and retention.
- Six houses is too many and is an over development creating a increased sense of enclosure to rear garden which currently is very private and open and green. Should be greater gap to site boundaries.
- Concerns that the scale of development will lead to an unacceptable level of traffic to the site entrance and more than the scouts who were there.
- Private access road is not correctly aligned with the geometry of the roundabout to allow safe manoeuvres. Traffic travelling from Louth Road or Scartho road wanting to access the site will need to drive past the site and then turn round at some point on Waltham Road to access a northerly direction. In realistic terms people will try an unsafe manoeuvre to directly access the site. off the around about made worse by the traffic island and give way markings. There are also few convenient turning points on Waltham Road other than the public car park which is time consuming. As such people will undertake un safe U turns just after the round about islands which would create a further hazard.

APPRAISAL

Main issues

- 1) Principle of housing in this location and loss of community use
- 2) Heritage, design and character
- 3) Residential amenity
- 4) Trees and landscaping
- 5) Highway Safety
- 6) Drainage

- 1) Principle of housing in this location and loss of community use

The site is located within the development area Grimsby, a level 1 settlement (NELLP policy 3) which is regarded as highly sustainable and will be the focus for 60 - 65% of all new houses required within NE Lincolnshire. The site almost adjoins a local centre further underlining its sustainable credentials.

Policy 6 and 29 of the NELLP, however, seek to support and protect existing assets of social and cultural value. In this instance, the site has until recently been used by the 5th Grimsby Scartho, whom have a gained temporary space within Scartho Community Centre with storage facilities being made available elsewhere by the Brocklesby Estate. Longer term accommodation is being negotiated at this time, but the Scouting Association has confirmed the building on the application site is no longer fit for habitation. As such it is considered that the proposed scheme would not lead to the loss of an important community/ cultural asset. As such in principle and subject to further detailed considerations the development would accord with policies 3, 4, 5, 6 and 29 of the NELLP.

2) Heritage, design and character

The position of the site is such that it is screened from most views by existing buildings and any development would have a limited impact on the appearance and character of the Scartho Conservation Area, as affirmed by the heritage officer. The site does, however, fall within an archaeological sensitive area which is unlikely to have been affected significantly by development in the past. As such, archaeology of Saxon origin is possible on this site. The heritage officer whilst not objecting to the scheme would require an archaeological condition to be imposed to allow investigation to take place during ground works associated with the development to ensure any finds were adequately recorded. Subject to this condition and subject detailed design at reserved matters stage it is considered the outline proposal would accord with policy 39 of the NELLP.

For the same reason as heritage, the proposed houses would have a limited impact on the character of the area and would be only glimpsed between existing properties from public vantage points. The positive design shown on the indicative elevations are noted but the plans are just that, indicative. Nevertheless, in principle this shows that's a development of this nature could be accommodated on the site. As such subject to consideration within any reserved matters application the proposal is deemed to accord with policies: 5 and 22 of the NELLP.

3) Residential amenity

The site is within a back land location and the site is overlooked and adjoined on all sides by existing residential development. The redevelopment of this site therefore has the potential to impact on residential amenity through overlooking, reductions in light and sunlight, dominance, noise and nuisance. The outline nature of the application makes the assessment of this proposal more difficult but the submission of an indicative layout plan assists.

The proposed access is between two dwellings but is based on an improved version of the existing access road which was, fairly recently used for the local Scouting group, and existing dwellings at 4 and 6 Waltham Road. This together with the limited number of windows which face onto the access, boundary walls and fences would limit the impact of traffic movements on these properties. The reduction from six to four properties proposed

would also reduce the potential number of comings and goings generated and therefore impacts on neighbours. The Scout group use whilst not as extensive in use terms as the proposal still generated particular periods of intense activity, noise and nuisance along this access which reduces the sensitivity of these areas to noise. The reduction in housing numbers on the main part of the site to four would also potentially reduce these impacts and indeed the need for additional car parking allowing additional areas of landscaping adjoining the existing rear gardens to properties fronting Waltham Road further reducing nuisance.

The indicative design promoted also seeks to utilise a bungalow design at each end of the terrace to limit the impact on neighbours particularly to both the north and south where the development would adjoin the rear garden areas of existing properties in close proximity. This would limit overlooking and is considered essential to support a scheme of this density. This would also limit concerns over scale and massing to these properties. Despite the outline nature of the application a condition is recommended to ensure this design approach is maintained. The two storey elements of the design would also be limited to the central area of the site, maintaining good distances to adjoining properties and therefore privacy within the surrounding dormer bungalows and houses and their gardens.

4) Trees and landscaping

The application is supported by a tree report which categorises the majority of trees on the site as either C or U with only one category B tree which actually grows outside the site. The line of trees to the western boundary of the site which adjoins properties at Pelham Road, creating a green screen between the sites. The two largest trees in this line are category U indicating they should be removed whether or not the application proceeds. These trees together with the other category C specimens' tree are not deemed worthy of retention and it is recommended that instead a planting scheme including hedgerows and trees is agreed as part of a conditional approval. This would create a more suitable arrangement and species to this boundary breaking up views of the development. Similarly, whilst the loss of a further large tree to the southern boundary is noted this again is not deemed worthy of retention and more appropriate trees and hedges could be planted to the south eastern corner of the site. As such it is not deemed that the scheme would lead to the loss of trees of recognised value and any losses could be suitably replaced through an appropriate landscaping scheme. Such a scheme would also have the potential to provide hedging to boundaries to limit nuisance from car headlights.

The site, including buildings and trees have also been assessed with reference to ecology and have not found to be of particular value to wildlife, nor home to protected species. Nevertheless, conditions are recommended to encourage wildlife features, whether through planting of native trees and hedging species or bird boxes.

5) Highway Safety

Any assessment of the impact of the scheme on highway safety and capacity grounds

has to be done in accordance with policies and guidance within the NELLP and NPPF. In particular para 115 of the NPPF (2023) states: 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.' Similarly, policies 5 and 36 of the NELLP indicate that development should be placed in locations where there is access public transport and local facilities to ensure real alternatives to private motor car use are available.

In this instance, the site practically adjoins Scartho local centre, with its shops, doctors, takeaways, library, pub and community hall to name but a few facilities close by and is located on regular bus routes serving the wider area. It is also close to the Scartho Road cycle and footpath link. Such facilities and connections make this site highly sustainable reducing the need for motor vehicles.

The site is accessed by an existing narrow access which served the Scout Group for many years. This enters Scartho fork roundabout at the Waltham Road. It is accepted that the access is not in an ideal location, but this is an existing situation. A safety audit (2017 - 2021) has indicated that only six minor accidents have occurred on the roundabout and within the immediate surrounding area. None have occurred at the application site entrance. The minor nature of the accidents is perhaps in part due to the relative slow speed of traffic as it approaches, navigates, and then leaves the roundabout. Similarly, the nature of the access automatically limits traffic speed due to its proximity to buildings and the crossing of a wide footpath.

The applicant accepts that the current access is not suitable for the development and improvements are proposed. The access would be widened to allow two cars to pass, limiting the time vehicles would wait to enter the site reducing congestion on the carriageway. Access to the site would also be limited by the traffic island and signage around the roundabout stopping southbound vehicles turning directly into the site in an unsafe manner. Equally, cars leaving the site must turn northwards for the same reason. Note is taken of objections raised relating to unsafe vehicle moves further along Waltham Road, but the current use of the site present similar issues for drivers and safe manoeuvres can be undertaken to turn a vehicle northward to access the entrance. The amended access would also have adequate sight visibility splays for a 30mph road both north and south bound assisting to maintain safety. The applicant has also sought to reduce housing numbers on the site from six to four which would limit traffic using the access.

Within the site, adequate turning is available for vehicles including rigid trucks and a suitable bin collection area is located to the site frontage to allow refuse vehicles to load from the highway in similar locations to now. Parking would amount to two spaces per dwelling and is deemed suitable within such a sustainable location.

The Highways Officer has considered the concerns of objectors and accept that the situation is not ideal. As such they have considered the scheme carefully seeking the views of traffic and road safety officers before responding. The site has an existing

access which has until recently generated traffic and could continue to be utilised if this scheme were not to proceed. In considering para 115 of the NPPF, it is not considered that the level of traffic movements associated with four dwellings would amount to an unacceptable impact on highway safety in this location, nor would the residual cumulative impacts on the road network be severe, even during the peak periods. This is due, in part, to the existing nature of the access but also the limited levels of traffic generated by a proposal of this scale.

As such it is considered that the development would accord with policies: 5, 22, 36 and 38 of the NELLP.

6) Drainage

The site is located within flood zone 1 and housing is deemed suitable within this location. Surface water drainage in this area requires careful consideration and although at outline stage it is recommended that conditions be imposed to ensure drainage is adequately considered.

CONCLUSION

The proposed development would provide four additional houses in a highly sustainable location. The loss of the community use from this site has been mitigated by a move to a nearby site with the Scouts being supported to find long term accommodation with outdoor space. The loss of the current building would not detract from the character and appearance of the area and the indicative designs for the houses shows a positive development could be created in this location, which would protect not just the character of the area but also, subject to conditions, neighbours amenities. Access to the site is noted as not ideal but is an existing situation which would be enhanced through this application and is deemed to be acceptable in safety and capacity terms for the four dwellings proposed. The proposed development would lead to the loss of a number of large trees but these have been classified to be of a poor quality and in the case of two trees should be removed whether the scheme proceeds or not. In any case it is recommended that a landscaped condition would allow a suitable and longer lived replacement scheme to be agreed. As such subject to conditions the development is deemed to accord with policies: 5, 17, 22, 33, 36, 38 and 41 of the NELLP and the provisions of the NPPF (2023).

RECOMMENDATION

Approved with Conditions

(1) Condition

Applications for approval of the matters referred to in Condition 2 (known as reserved matters) shall be made within three years of the date of this permission and the

development to which it relates shall begin no later than whichever is the later of the following dates:

- (a) three years from the date of the grant of outline planning permission
- (b) two years from the final approval of the reserved matters, or in the case of approval on different dates, final approval of the last such matter to be approved.

Reason

The information is necessary for consideration of the detailed proposal as required by S.92 of the Town and Country Planning Act 1990.

(2) Condition

No development, other than demolition of the existing building, shall begin until full details of the following reserved matters have been submitted to and approved by the Local Planning Authority:

- (a) the layout, scale and appearance of the development
- (b) a landscaping scheme for the site including details of existing trees, hedges and planting to be retained

Reason

The information is necessary for consideration of the detailed proposal as required by S.92 of the Town and Country Planning Act 1990.

(3) Condition

No development shall take place, other than works of demolition, until details of the approved access based on drawing no. VD22651 100 rev P03 have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- (i) Detailed plans to a scale of at least 1/500 showing:-
 - (a) the proposed layout of the carriageways and footways on the development;
 - (b) the wearing course materials proposed for the carriageways and footways;
 - (c) cross sections;
 - (d) the highway drainage system;
 - (e) where applicable, the proposed locations of street lighting columns, all services and ducts for services, within the carriageways and footways;
 - (f) the number, location and layout of the vehicle garaging and/or parking facilities within the site to serve the proposed residential development.

None of the dwellings hereby permitted shall be occupied until the access road and junction approved under this condition has been completed and is available for use.

Reason

To ensure provision of satisfactory vehicle parking arrangements for the development

and in accordance with policies: 5 and 36 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(4) Condition

No development shall take place, other than works of demolition of the existing building and slab but no services or foundations below ground level only, until the applicant has:-

- (i) submitted a Written Scheme of Investigation or Specification for Works, for a programme of archaeological work, to the Local Planning Authority.
- (ii) received written approval of the Written Scheme of Investigation for a programme of archaeological work from the Local Planning Authority.
- (iii) implemented, or secured implementation of the Written Scheme of Investigation for a programme of archaeological work.

Use of the development shall not take place until the applicant has:-

- (iv) published, or secured the publishing of the findings resulting from the programme of archaeological work within a suitable media.
- (v) deposited, or secured the deposition of the resulting archive from the programme of archaeological work with an appropriate organisation.

Reason

To protect archaeology and heritage of significance of the area and in accordance with policies: 5 and 39 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 and in accordance with policies: 5 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(6) Condition

No development shall take place until a Construction Management Plan (CMP) including Construction Traffic Management Plan (CTMP) and Demolition Management Plan (DMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP/CTMP/DMP shall include but not be limited to the following:

1. Contact details of the person with responsibility for the implementation of the CMP/CTMP;
2. The expected number, types and size of vehicles during the entire construction period;
3. The proposed working hours of operation during the construction period;
4. Details of on-site parking provision for construction related vehicles (including

contractor Parking and visitors);

5. Details of on-site storage areas for materials;

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. Noise, vibration and dust mitigation measures (The noise assessment must comply with the requirements of British Standard 5228 unless otherwise approved).

9. No burning of demolition/construction waste material shall take place on site.

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

Reason

To protect residential amenity, public health and ensure adequate and safe access facilities are provided during construction, and for highway safety and in accordance with policies 5 and 36 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018)

(7) Condition

No development shall commence, other than demolition of the building, until a scheme for the provision of sustainable surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall be implemented before the any dwelling is first occupied on site.

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 - 2013 (adopted 2018).

(8) Condition

Prior to occupation any of the dwellings, details of how water will be reused and recycled on site shall be submitted to and agreed in writing by the Local Planning Authority. Once approved, the agreed details shall be adhered to at all times.

Reason

To ensure the efficient use of water and in accordance with policies: 5 and 34 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018).

(9) Condition

If, during development, contamination not previously considered is identified, the Local Planning Authority shall be notified immediately and no further work 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.

Reason

To ensure all contamination within the site is dealt with in a safe and positive manner and in accordance with policy 5 of the North East Lincolnshire Local plan 2013 - 2032 (adopted 2018).

(10) Condition

Prior to first occupation of any of the dwellings hereby approved details of the bin storage areas and bin day collection area shall be submitted to and approved in writing by the Local Planning Authority. Prior to any of the dwelling hereby approved being first occupied these approved bins storage areas and bin day collection area shall be provided and be available for use.

Reason

To maintain the character of the area, residential amenity, health and safety and highway safety in accordance with policies: 5, 22 and 36 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(11) Condition

The development is approved in accordance with the following plans;

J2247 00101 - Site Location Plan

VD22651 - 100 REV P03 - General Arrangement

RLC-1111-FRA-01-1 Flood Risk Assessment

Arboricultural Report (Equans) Ref: QU-822-22-EQUANS

Final Report of Ecology and Protected Species Survey of a site off Waltham Road, Scartho, Grimsby - Tim Smith (July 2023) Ref: TS 2023/06/710.

Reason

To ensure the development is in accordance with the approved details and results in a satisfactory form of development.

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 nor subject to conditions residential amenity, highway safety and capacity and

landscaping and tree cover 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: 4, 5, 22, 33, 36, 39 and 41 and the provisions of the National Planning Policy Framework (2023).

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 reducing numbers of housing proposed on site and amendments to highway matters.

3 Informative

Existing ground levels should not be raised or surface water drainage problems may result.

4 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.

5 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).

6 Informative

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

7 Informative

Due to the proximity of the development site to adjoining residential properties to the northern and southern ends of the development site, it is likely that a future design shall be required to incorporate single storey elements only with no accommodation at first floor within residential units proposed immediately adjoining these boundaries.

8 Informative

Where there may be the possibility of asbestos in the buildings the applicant, developer, and future occupier are reminded of the duties under Control of Asbestos Regulations 2012, or the more general duties under the Health and Safety at Work Act 1974 in relation to any presence of asbestos in the building(s). The Health and Safety Executive can be contacted for further advice and a copy of the Approved Code of Practice is available from their website at <http://www.hse.gov.uk/pubns/books/l143.htm>

DM/0942/23/FUL – SCOUT HUT, WALTHAM ROAD, GRIMSBY



PLANNING COMMITTEE - 28th February 2024

ITEM: 3 **RECOMMENDATION: Refused**

APPLICATION No: DM/0997/23/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: The Grange , Aylesby Road, Great Coates, North East Lincolnshire, DN37 9NT

PROPOSAL: Erect four dwellings with associated access, parking, landscaping and boundary treatments

APPLICANT:

Mr and Mrs G Cooper
The Grange
Aylesby Road
Great Coates
North East Lincolnshire
DN37 9NT

AGENT:

Mr Matt Deakins
Ross Davy Associates
Pelham House
1 Grosvenor Street
Grimsby
DN32 0QH

DEPOSITED: 10th October 2023

ACCEPTED: 10th October 2023

TARGET DATE: 5th December 2023

PUBLICITY EXPIRY: 14th December 2023

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 14th December 2023

CASE OFFICER: Richard Limmer

PROPOSAL

The proposal is to erect 4 dwellings in the grounds of the Grange with access off Aylesby Road with associated parking, landscaping and drainage infrastructure.

The application has been called into Planning Committee by Councillor Downes.

SITE

The site forms part of the grounds of The Grange. The site area measures approximately 1.44ha and is relatively flat with no significant change in levels across the site. It contains a large pond and there is a historic moat around the north and western boundaries, this

forms part of a larger moat that extends to the east of the Grange. Within the site and along the site boundaries is a mixture of landscaping and a large pond.

The Grange itself is a Grade 2 listed building and the site sits within the Great Coates Conservation Area, the adjacent Church of St Nicholas is a Grade 1 listed building.

RELEVANT PLANNING HISTORY

DM/0800/22/FUL - Erect seven dwellings with associated access, parking, landscaping and boundary treatments (amended plans and updated ecology information March 2023)

- Refused

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF5 - Delivering a sufficient supply of homes

NPPF12 - Achieving well designed places

NPPF14 - Climate, flooding & coastal change

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

PO33 - Flood risk

PO39 - Conserve and enhance historic environ

PO41 - Biodiversity and Geodiversity

PO43 - Green space and recreation

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 but comments on drainage requirements.

Trees Officer - no objections but comments on the impact on trees and the requirement for landscaping within the development.

Drainage Board - no objections but comments on drainage requirements.

Anglian Water - no comments.

Environment Agency - no comments.

Public Rights of Way Officer - no objections, comments on potential unclaimed path.

Heritage Officer - objects due to the impact on heritage assets.

Historic England - raise concerns due to the impact of the development on heritage assets.

Georgian Society - raise concerns due to the impact of the development on heritage assets.

Great Coates Village Council - no objections.

Highways Officer - no objections, recommend conditions .

Environmental Health Officer- no objections, recommend conditions

Councillor Downes - Call in request as the applicant has reduced the number of properties on the site from the previous. This is vast site which could be used to build tens of houses upon, completely ruining the surrounding areas. The current owner is being sympathetic to the surrounding areas ensuring green space. The current site has been restored. If sold after a refusal future owners will not be as sympathetic. It is considered quite a spectacular site. The Local plan shows plans to build 400+ homes in the field opposite and arguments against the development being that the area is close to the church, loss of green space etc, are unfounded. The Local Parish Council have not objected to this decision.

Neighbours

68, 74, 76 and 84 Cormorant Drive and 14 Cardiff Avenue have objected to the proposed development with concerns over the following matters:

- Impact on residential amenity with the loss of privacy;
- Impact on Ecology;
- Impact on highway safety due to the access and traffic generation;
- Impact on heritage;
- Loss of green space.

APPRAISAL

Main Issues

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

1. Principle of Development

The site is located within the Development Area Boundary for Grimsby on the NELLP inset maps but the site is allocated as Open Space. Policies 5 and 43 are therefore key considerations for this proposal.

Policy 5 does not preclude residential development within the defined Development Area Boundaries but seeks to ensure that proposals are suitable in regard to the considerations identified in section 1; these key considerations are set out in the report below.

Policy 43 seeks to safeguard the loss of public and private green spaces in recognition of their importance to biodiversity, health and wellbeing. Part 2 of the Policy identifies where the Council will accept the loss of such identified spaces. This criteria includes evidence that the space is surplus to requirements and has been assessed in regard to biodiversity or alternative provision can be provided of equal or better quality.

In regard to need, the application has not been submitted with any evidence to support that the site is surplus to requirements. The application has been submitted with Ecology Surveys but not a specific holistic assessment of biodiversity value and no alternative provision has been proposed or a scheme to improve the retained green space as compensation. It is therefore considered that the proposal does not meet the requirements of Policy 43 and is therefore contrary to it.

It is therefore considered that whilst the site is located within the Development Area Boundary for Grimsby it is allocated as Open Space and no case has been made to support its loss. It is therefore considered to be unacceptable in principle.

2. Impact to Neighbours

In regard to the impact on neighbouring properties residential amenities, the proposed dwellings are well separated and the site itself is already part of a domestic property and could be used as such. It is therefore considered that whilst there may be some views to the development from those neighbours it would not cause undue harm to their residential amenities in accordance with Policy 5 of the NELLP.

3. Impact on Heritage and the Character of the Area

The site is located within the grounds of The Grange which is a Grade 2 listed building, within the Great Coates Conservation Area and within the wider setting of the Grade 1 listed church of St Nicholas.

Concerns have been raised by both Historic England, The Georgian Society, Civic Society and there is an objection from the Heritage Officer.

The concerns raised surround the impact of the proposed development on the setting of both The Grange and St Nicholas Church as well as the character of the Conservation Area. The site plays a vital role in providing space around The Grange which has been eroded by other developments within the grounds, these have caused this site to be even more valuable than previous to those developments. Visually the site provides a green break between the historic core of Great Coates and the new development of the Aylesby Park Estate.

These proposals as they stand essentially will separate the Grange from a large proportion of its grounds including part of the moated site. It will critically alter the conservation area, allowing modern development to encroach further to the historic core of the settlement. It will also restrict views in and out to the Church and Grange. It should also be considered that this forms part of cumulative development at the Grange. Land to rear of the Grange has permission to be developed (DM/0705/18/FUL) and there has been development to the front of the grange, albeit using previously developed land and these further development proposals would severely reduce the grounds within which the Grange sits, and this would be significantly harmful. A previous application to erect seven houses on this site was refused, and although this development is for fewer houses the harm is still the same as on that application that was refused. The amount of land that will no longer form part of the grounds of The Grange in this reduced scheme is the same as the proposals that were previously refused.

The setting of Grange is very significant and can not be overly emphasised, it would have been set within a large open landscape, this has been encroached upon with development to the north-east of the Grange and a large housing estate to south. The Conservation Area boundary is between the modern housing estate and the land to the Grange, this is important because the open grounds of the Grange emphasise the move from modern development to the more historic areas of Great Coates as identified by the designation of the conservation area. The development of this land will further reduce the size of the grounds that will be attached to the Grange and a building such as the listed Grange was and is, it should be set within substantial grounds, and it should retain the moated site that has long formed part of it. Carving off the southern part of the site for modern development, however sympathetically designed, is not appropriate in these circumstances and along with the cumulative development of other land within the Granges grounds is ultimately harmful. The applicant has sought to respond to the setting through the design philosophy followed but the sensitive setting of the site is such that the development would be detrimental.

The proposal would also see much of the greenery and trees on the site removed to make way for the development. Visually this would be a change to the existing situation and contributes to the overall detrimental impact of the development.

Policy 39 of the NELLP and Section 16 of the NPPF are clear in their aim to protect and enhance heritage assets. The comments from Historic England, Historic Buildings and Places and the Heritage Officer make it clear that this proposed development would cause significant harm to the setting of The Grange, St Nicholas Church and the Great Coates Conservation Area conflicting with Policies 5 and 39 of the NELLP and section 16 of the NPPF.

4. Drainage

The site is in Flood Zone 1 on both the Environment Agency Flood Maps and the Strategic Flood Risk Assessment. The Drainage Team and Drainage Board have not objected to the proposed development but have commented on the requirements of the surface water drainage system. No details of the surface water drainage system have been submitted but it is considered that this detail could be dealt with a suitable condition which is normal practice. It is therefore considered that the proposed development would accord with Policies 33 and 34 of the NELLP.

5. Highways

The proposal is for 4 dwellings to be accessed off Aylesby Road, at this point the road is a 30mph limit. The proposal would utilise an existing secondary access to The Grange, although this access has not been used in recent times and there is no drop curb serving it. However, it has been demonstrated that the necessary visibility sight lines of 43m, 2.4m back from the edge of the carriageway can be provided. Within the site it is proposed that the access road would be private but 5.5m wide near the access point reducing down to 5.2m but with passing places.

Given the level of traffic generation from 4 dwellings it is considered that the proposed development would not unduly harm highway safety and amenity in accordance with Policy 5 of the NELLP. The Highways Officer has recommended conditions for construction details, provision for bin storage and a construction traffic management plan should the scheme be deemed acceptable.

CONCLUSION

It is noted that this proposal is a reduced scheme to that proposed under DM/0800/22/FUL however it does not address the previous concerns raised and reasons for refusal.

In conclusion, the proposed development has not been justified in regard to the loss of green space and it would cause significant harm to identified heritage assets. The

proposal is therefore considered to be in direct conflict with Policies 5, 39 and 43 of the NELLP and sections 15 and 16 of the NPPF. It is therefore recommended for refusal.

RECOMMENDATION

Refused

(1) The proposed development would result in the unjustified loss of designated Green Space to the detriment of biodiversity, health and well being contrary to Policies 5 and 43 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and the National Planning Policy Framework 2023.

(2) The proposed development, by means of its location, size, scale, mass, design and layout, would cause significant harm to the character and setting of The Grange (Grade 2 listed), St Nicholas Church (Grade 1 listed) and the character of the Great Coates Conservation Area contrary to Policies 5 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and the National Planning Policy Framework 2023.

Informatives

1 Informative

This application has been considered using the following plans:

RD5453-04C proposed site plan
RD5453-05 site location plan
RD5453-06A Plot 1 plans
RD5453-07A plot 2 plans
RD5453-08A plots 3 and 4 plans
RD5453-10 existing site plan
RD5453-11 boat house plans
RD5453-12A garden room plans
RD5453-13A site sections
RD5453-16 tree constraints plan

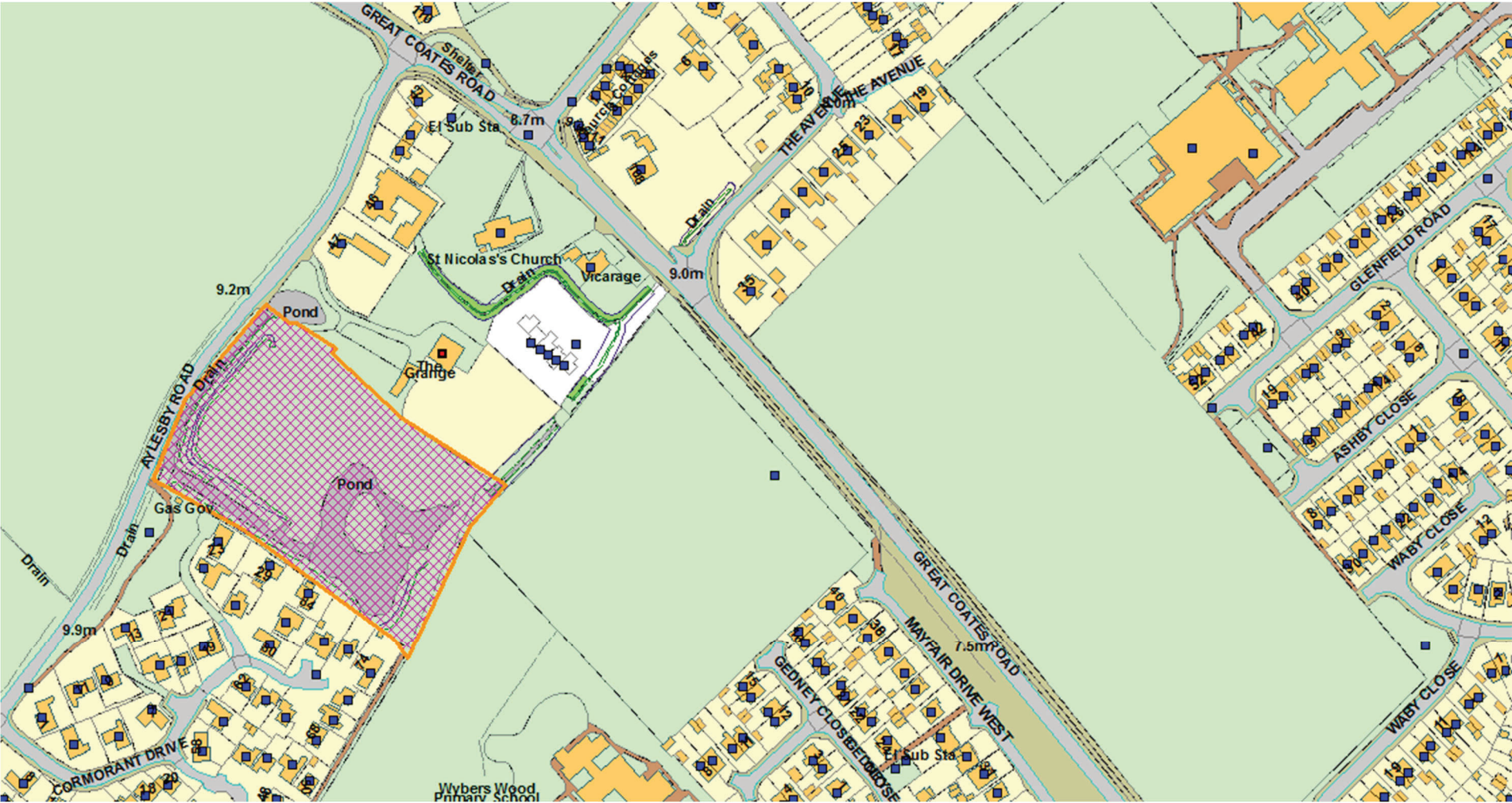
2 Added Value Statement

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, however, the issues on this application could not be overcome.

DM/0997/23/FUL – THE GRANGE, AYLESBY ROAD, GREAT COATES



PLANNING COMMITTEE - 28th February 2024

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

APPLICATION No: DM/0711/23/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 338 Wellington Street, Grimsby, North East Lincolnshire, DN32 7JR

PROPOSAL: Partial change of use from a single residential dwelling to a Chinese herbal clinic (Class E) at ground floor and residential accommodation to ground and first floors to include the erection of a 1.2 metre high wall with railings to the front and installation of a shopfront at ground floor (Amended Description and Amended Plan received 17th January 2024 to reduce height of wall to the frontage)

APPLICANT:

Yumi Au Yang
338 Wellington Street
Grimsby
North East Lincolnshire
DN32 7JR

AGENT:

Mr Gooding
LDM
Clarence Arcade
Stamford Street
Ashton-Under-Lyne
QL6 7PT

DEPOSITED: 20th July 2023

ACCEPTED: 11th December 2023

TARGET DATE: 5th February 2024

PUBLICITY EXPIRY: 7th February 2024

**AGREED EXTENSION OF TIME DATE: 1st
March 2024**

CONSULTATION EXPIRY: 4th January 2024

CASE OFFICER: Bethany Loring

PROPOSAL

The application seeks to partially change the use from a single residential dwelling to a Chinese herbal clinic (Class E) at ground floor and residential accommodation to ground and first floors to include the erection of a 1.2-metre-high wall with railings to the front and installation of a shopfront at ground floor.

The application is brought to committee following a number of objections received.

SITE

The property is situated on the south side of Wellington Street in Grimsby. The property sits next to an existing pharmacy and a domestic property however the immediate area is made up of a mix of commercial properties, generally located close to junctions, and residential. The site sits a sustainable location with services, amenities and sustainable transport links close by.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF6 - Building a strong, competitive economy

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

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

Ecology Officer - No comment.

NELDB - No comment.

Environment Agency -No objection.

Drainage Team - No comment.

Highways Team - Initial concerns regarding visibility to neighbouring drive. Amendments

secured to lower boundary treatment and now acceptable.

Heritage Officer - No heritage input required.

Neighbour Representation

Objections have been received from the following addresses broadly on the grounds of anti-social behaviour issues, lack of accessibility, overgrown, existing boundary treatment, fire safety, lack of parking, litter, unauthorised usage of the property, impacts of construction and inaccuracies with submission.

Cottingham Pharmacy, 340-342 Wellington Street
Crossbank Cottage, Southmoor Road, Doncaster
1 Ravenhill Close
251 Roberts Street

Comments of support have been received by the following address;

St John and St Stephen Church Centre, Rutland Street

APPRAISAL

1. Principal of Development

The application site is located in the development area of Grimsby, and as such policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) (NELLP) applies.

The site lies to the west of an existing Local Centre (LC21), at around 265 metres, where day-to-day needs of local residents can be met by the provision of facilities and services, as stated within Policy 28. As a commercial use under Policy 23 of the Local Plan an hierarchy approach is taken to focus such uses in town and local centres so as to protect the vitality and viability of such centres. However Policy notes that such a sequential approach should only apply to uses proposed over 200 square metres. The floorspace of the proposal is much lower than this and will not cause any conflict with this approach. The principle of the use is considered to be acceptable and it is the site specifics considerations which then need to be assessed under Policy 5 of the Local Plan.

2. Design and Visual Impact on the Character of the Area

The application seeks to partially change the use of the existing single residential dwelling to a Chinese herbal clinic (Class E) at ground floor and residential accommodation to ground and first floors to include the erection of a 1.2 metre high wall with railings to the front and installation of a shop front at ground floor.

The residential provision would remain but this would be reduced with the rear ground floor element retaining the dining room, kitchen, hall and bathroom with the upper floors

providing the sleeping accommodation. The front ground floor area would see the living room converted to the commercial use.

The works would include the installation of a shop front to alter the front elevation from a traditional domestic dwelling to a commercial use. This would include glazing panels, an access door and shutter. A signage area has been indicated however this would be subject to a separate advertising consent and therefore does not form part of this application and this detail is considered indicative. There is an existing boundary wall and fencing to the frontage which would be removed and replaced with walls, pillars and railings at a maximum height of 1.2 metres. It is noted that the existing fencing has been in situ for some time is unauthorised and subject to enforcement investigation.

The works are considered to be acceptable within this area where it is not uncommon to see such use, under Class E, with the finish and design as detailed within the submission. The shop front is considered necessary, akin to the new usage.

In relation to design and visual amenity, the proposal would not conflict with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

3. Highways and Parking

The site is located within a sustainable location with sufficient bus links therefore alleviating the need for personal car travel. Furthermore, there are limited on-street parking options available close to the site. The Highways Officer has raised no objections or concerns to the scheme following the reduction of the boundary treatment height which is considered to alleviate the initial concerns regarding the visibility of the neighbouring driveway.

Therefore, it is considered that the development accords with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

4. Impact on Neighbours

There have been a number of neighbour representations received raising concerns of noise and disturbance. The building is a mid-terraced property positioned along Wellington Street close to the junction with Rutland Street. In terms of activity the provision of a commercial use would be expected to increase this activity however would unlikely be overly intensive. The floor space of the commercial use is small and no greater than a typical local shop, hot food takeaway or other commercial uses that are common place in residential areas. Moreover in this case there are existing commercial and community uses close by including the pharmacy adjacent. Having regard to the limited scale of the proposal and the character of the area it is not considered that the proposal would be detrimental to neighbouring or local residential amenity. However it is considered that the hours of use should be restricted to more social hours.

The objections from neighbours includes the Cottingham Pharmacy, 340-342 Wellington

Street adjacent the site. Issues of anti-social behaviour issues at the existing premises, lack of accessibility, the overgrown nature of the site, fire safety, litter, unauthorised usage of the property and inaccuracies with submission are raised. In terms of anti social behaviour it is not considered that the use proposed should in itself cause this. Noise and disturbance is addressed above. In terms of the state of the site the proposed works should help to result in an enhancement due to the active use of the site. The other issues raised are not considered to weigh against what is proposed in this planning application. The other issues specifically relating to the existing boundary treatment and lack of parking, have been previously addressed in the report. The impacts of conversion work are also noted however, this mostly relates to internal works and the external works would be minor in nature and therefore not considered to present an issue in this case. A condition to control hours of construction and conversion works has been included to protect the amenities of neighbours.

Having regard to the above in terms of residential and business amenity the proposal is considered to be acceptable under policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

5. Flood Risk and Drainage

The site is located within flood zone 3 on the EA Flood Maps.

The proposal is for a change of use and is therefore not required to be subject to the application of a Sequential Test. The proposal does not increase the built form on the site and would not result in any appreciable alteration to the drainage or surface water drainage of the site.

The Drainage Officer has given no comments in relation to the application. No issues are raised by the Environment Agency.

As such, the proposal is considered to be acceptable in this respect in accordance with policy 33 of the development plan and the guidance in section 14 of the NPPF.

CONCLUSION

In conclusion, it is considered that the proposed development would not have a detrimental impact upon the character of the area, appearance of the street scene or the neighbouring properties amenities. It would accord with policies 5, 22 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and sections 5 and 14 of the NPPF. The application is therefore recommended for approval.

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

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

Site Location Plan, Block Plan, Existing and Proposed Floor Plans and Elevations - A1002A Rev D

Reason

For the avoidance of doubt and in the interests of proper planning and to accord with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition

No demolition or conversion 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 and in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

The ground floor commercial unit shall only operate and be open between the following hours;

09:00 hours to 19.00 hours on any day

Reason

To protect residential 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 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 and 33.

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 determining the application in a timely manner.

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).

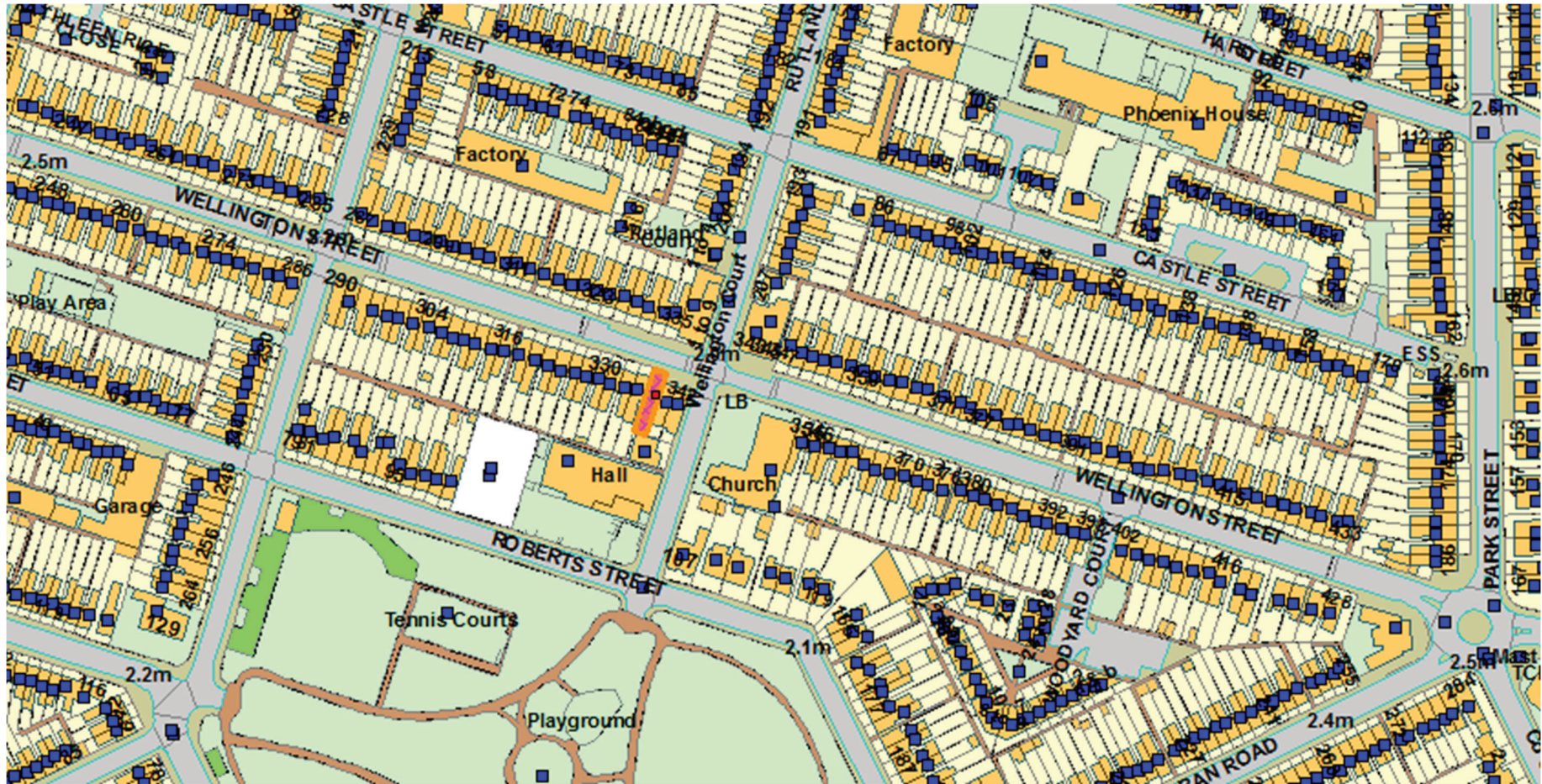
4 Informative

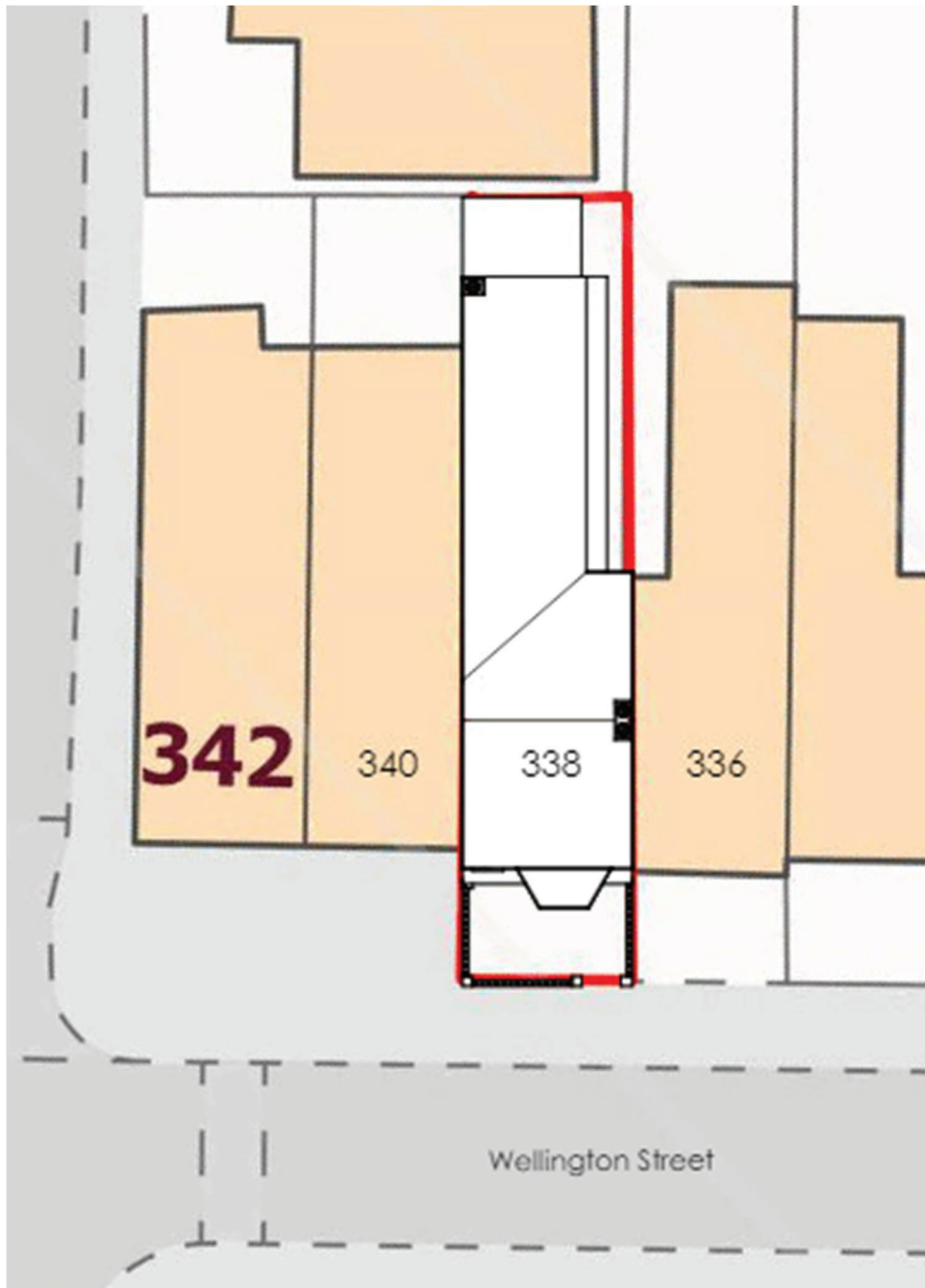
The applicant's attention is drawn to the fact that the requirements of the Party Wall Act may apply and you should seek advice from your agent or suitably qualified person.

5 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.

DM/0711/23/FUL – 338 WELLINGTON STREET, GRIMSBY





PLANNING COMMITTEE - 28th February 2024

ITEM: 5 **RECOMMENDATION: Refused**

APPLICATION No: DM/0025/24/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 61 Glebe Road, Humberston, North East Lincolnshire, DN36 4JP

PROPOSAL: Alterations to create roof terrace above existing double garage and passage, to include metal railings and timber fence to surround with external metal staircase to rear

APPLICANT:

Mr Haydon Dawkins
61 Glebe Road
Humberston
North East Lincolnshire
DN36 4JP

AGENT:

Martyn Shepherd
16 Connaught Avenue
Grimsby
North East Lincolnshire
DN32 0BS

DEPOSITED: 10th January 2024

ACCEPTED: 19th January 2024

TARGET DATE: 15th March 2024

PUBLICITY EXPIRY: 17th February 2024

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 15th February 2024 **CASE OFFICER: Bethany Loring**

PROPOSAL

The application seeks to make alterations to create a roof terrace above the existing double garage and passage, to include metal railings and timber fencing to surround it with external metal staircase to rear at an existing semi-detached dwelling.

The application is brought to planning committee as the applicant is an elected member.

SITE

The property is a semi-detached, two-storey dwelling located on the north side of Glebe Road in Humberston. The area is primarily residential; Glebe Road itself is made up of

various dwelling types and designs including two-storey dwellings and bungalows. The plot benefits from a paved driveway to the front. The host dwelling has an open vehicle access point with the boundaries made up of low picket fencing.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

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

Humberston Village Council - Objects due to concerns relating to intrusion to neighbour and not in keeping with the area.

Heritage Officer - No input required.

Environment Team - No comment.

Drainage Team - No comments.

Highways Team - Approval no conditions.

Neighbour Representation

Objection received from the following neighbour in relation to loss of privacy, overlooking and disturbance.

65 Glebe Road

Comments of support received from the following addresses;

53 Glebe Road
55 Glebe Road
57 Glebe Road
59 Glebe Road
60 Glebe Road
64 Glebe Road
66 Glebe Road

Neutral comment received from the following address highlighting concerns over noise;

12 Tetney Road

APPRAISAL

Material Planning Considerations

Principle of Development

The application site is within the development area of Humberston (Policy 5) and relates to alterations to create a roof terrace above the existing double garage and passage, to include metal railings and timber fencing to surround it with external metal staircase to the rear of an existing semi-detached dwelling.

The principle of development is therefore acceptable provided that the proposal does not give rise to adverse issues in terms of residential amenity and that the design is in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and section 12 of the NPPF.

Design and Impact to the Character of the Area

The property currently includes a double garage and covered passage which adjoins the sidewall of the existing dwelling which includes a flat roof. The proposal seeks to create a roof terrace above this with a surround to the perimeter.

The front and rear boundaries would be made up of 1.2-metre-high railings with the side made up of a 1.6-metre-high fence which would also partially span the rear. A spiral staircase would be installed to the rear to allow for access which would adjoin the existing rear garden. The railings would include a central feature infill and would be constructed of metal, along with the staircase, and the fencing made of timber.

Policy 5 of the North East Lincolnshire Local Plan 2013-2032 requires that account is taken to the impact of proposals upon the character of the area in which they are sited.

This requirement is reflected in the NPPF through the advice found in section 12 'Achieving Well Designed Places'.

The NPPF calls for all development to be of a high quality and to ensure a good level of amenity for both existing and future occupiers of land and buildings. The introduction of a roof terrace would be highly visible from the street. The scale and finish of the roof terrace through its boundary treatments, within such a prominent location, constitutes poor design, which is considered detrimental to the character of the area. The works are considered to present an alien feature within the street scene.

As such, it is considered that the proposal in terms of design quality would harm the street scene to a significant degree and conflict with both national and local planning policy, that being section 12 of the NPPF and Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032.

Impact on Neighbours

The main impact of this development would be to 63 and 65 Glebe Road, Humberston which are flats adjacent to the site. A letter of objection from 65 Glebe Road has been received and letters of support from other properties in the area have been received. These are as referenced in the representations section. These are all acknowledged.

The roof terrace would sit above the existing flat roof, which is adjacent to the neighbours at numbers 63 and 65 Glebe Road. The terrace would sit just over 2 metres away from the sidewall of both properties. The access doors to the flats are positioned along this elevation as well as a first-floor window opening serving 65 Glebe Road which is noted to serve a landing. The close proximity of the works, and inclusion of 1.6 metre high fencing, is considered to present harm to the neighbouring property in terms of the overbearing nature of the physical works and the terraced use proposed and resultant adverse impact on residential amenity. The potential for disturbance and actual and perceived overlooking so close to the neighbours small rear garden is considered unacceptable.

In relation to other neighbours, the works are considered to be well-separated from these. This would therefore ensure no overlooking, massing or privacy issues.

It is therefore considered that the proposal would have an unacceptable impact on residential amenity in this instance and would not accord with policy 5 of the North East Lincolnshire Local Plan 2013-2032 and section 12 of the NPPF.

CONCLUSION

In conclusion, it is considered that the proposed development would fail to accord with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and section 12 of the NPPF due to its adverse impacts to the area and to neighbours. The application is therefore recommended for refusal.

RECOMMENDATION

Refused

(1) The proposed development would, by virtue of its design, scale and position be detrimental to the character and visual amenity of the street scene and wider area. This would be in direct conflict with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and Section 12 of the National Planning Policy Framework.

(2) The proposed development by virtue of its design, scale and position would be visually intrusive and have an overbearing impact on neighbouring property to the detriment of residential amenity. This would be in direct conflict with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and Section 12 of the National Planning Policy Framework.

Informatives

1 Informative

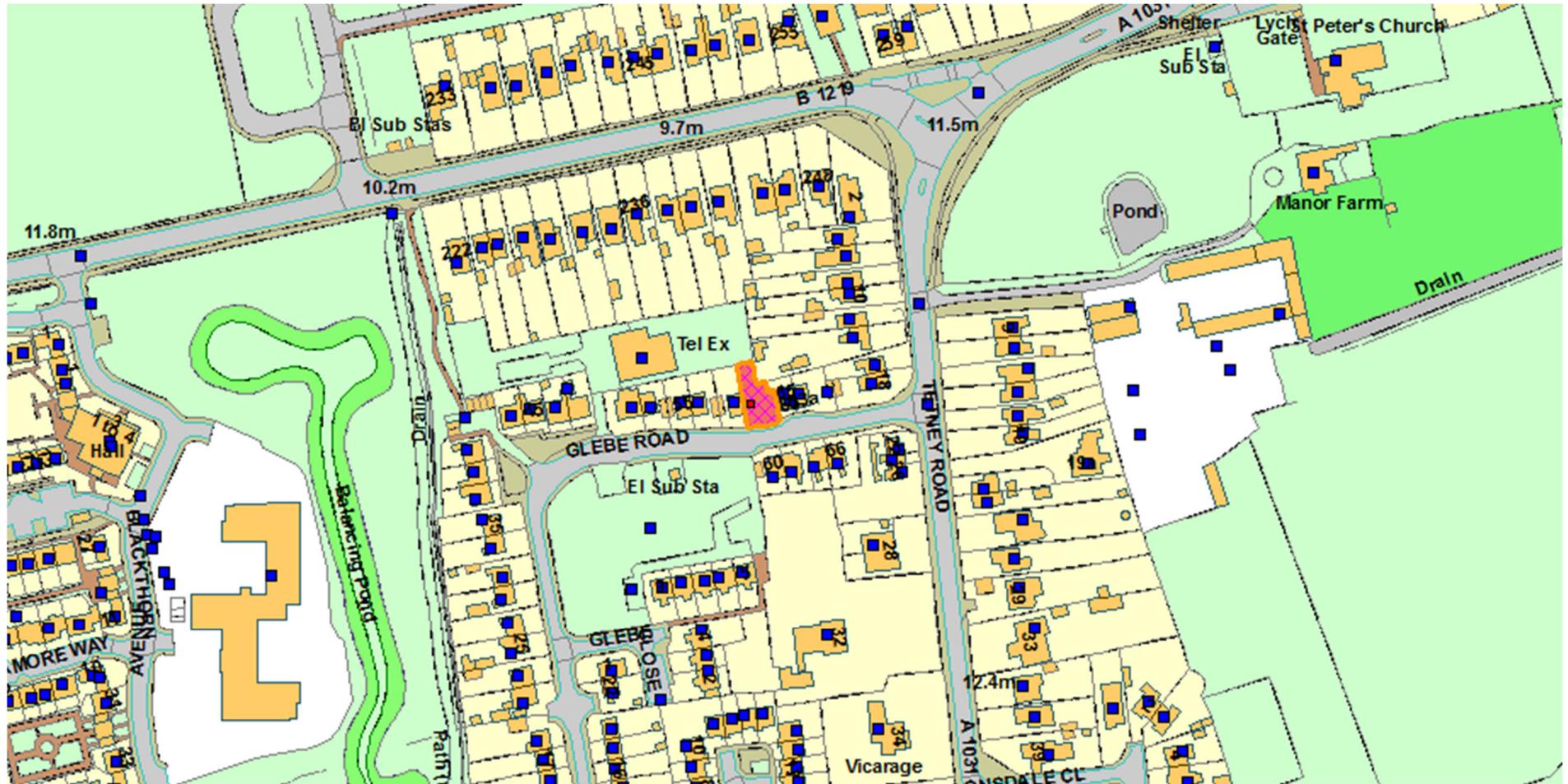
This application has been considered using the plan referenced 9-1-24.

2 Added Value Statement

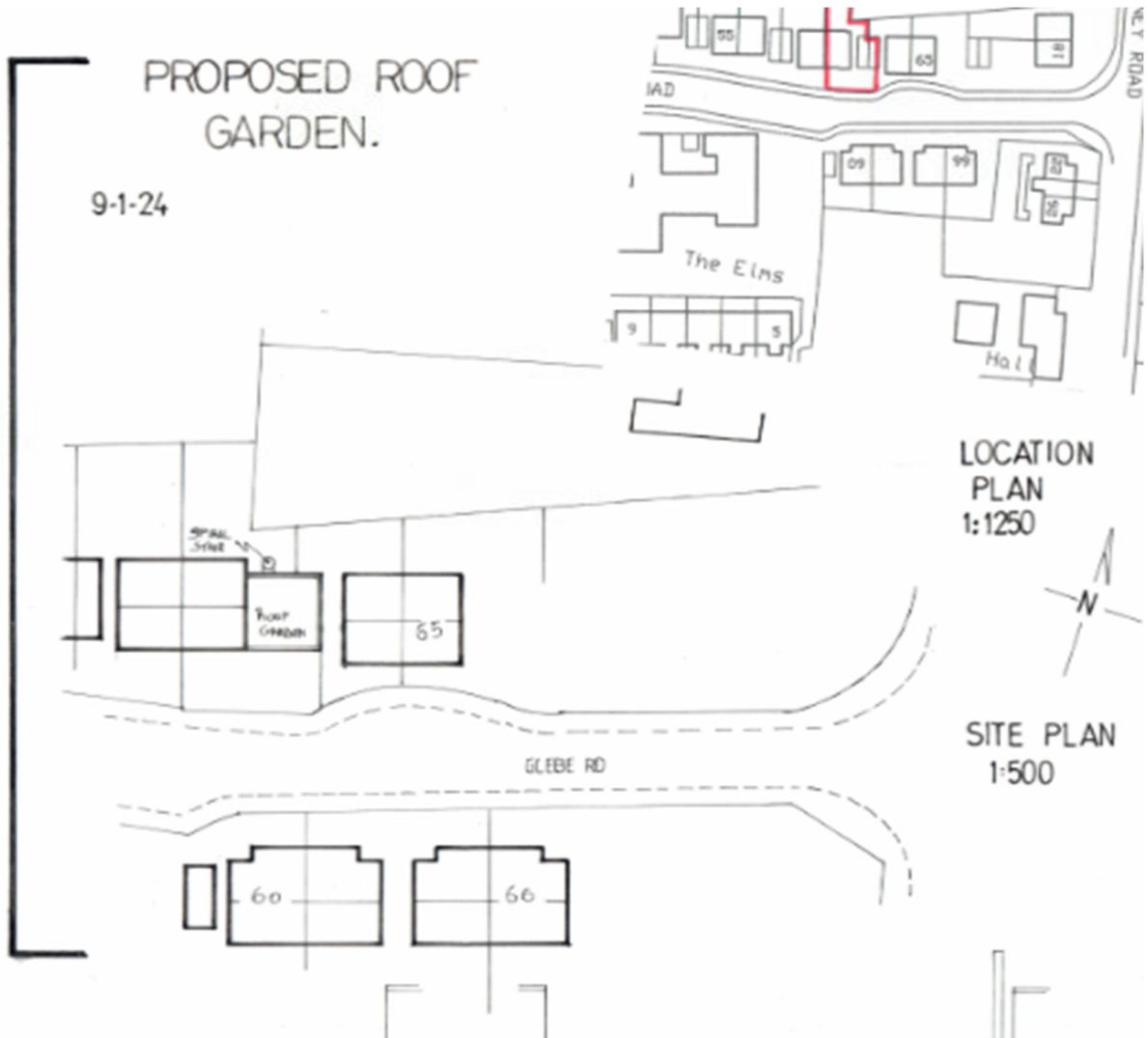
Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner by dealing with the application in a timely manner. The issues of concern would not be addressed through this application.

DM/0025/24/FUL – 61 GLEBE ROAD, HUMBERSTON



DM/0025/24/FUL – 61 GLEBE ROAD, HUMBERSTON



PLANNING COMMITTEE - 28th February 2024

ITEM: 6 **RECOMMENDATION: Refused**

APPLICATION No: DM/1219/23/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 10, 12 And 16 Abbey Walk, Grimsby, North East Lincolnshire, DN31 1NB

PROPOSAL: Replace existing first floor timber windows with uPVC windows and associated works

APPLICANT:

Mr John Wilmot
Walk Properties
66 Cheapside
Waltham
Grimsby
DN37 0HW

AGENT:

Mr Byron Smith
By Design
47 The Avenue
Healing
Grimsby
N E Lincolnshire
DN41 7NA

DEPOSITED: 13th December 2023

ACCEPTED: 15th December 2023

TARGET DATE: 9th February 2024

PUBLICITY EXPIRY: 14th January 2024

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 8th January 2024

CASE OFFICER: Becca Soulsby

PROPOSAL

The proposal is to replace the existing first floor timber windows with uPVC windows and associated works. The application has been referred to planning committee due to receiving a call in request from Councillor Wilson.

SITE

10, 12 and 16 Abbey Walk is a commercial property, located to the southwest side of the road. The area surrounding the property is commercial in use, host to car parks and other commercial properties.

RELEVANT PLANNING HISTORY

No relevant planning history. No planning history for the installation of ground floor uPVC windows.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF12 - Achieving well designed places

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

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 Officer- Approval no conditions.

Drainage Officer - No comments received.

Environmental Health Officer - No comments to make in respect of the application.

Heritage Officer - Objection to the use of uPVC due to being unsympathetic and detrimental on the traditional appearance of the area and causes significant harm to the conservation area. Surviving historic fenestration is an irreplaceable resource which should be conserved and repaired whenever possible. Whole or partial replacement of traditional windows with uPVC is unlikely to make a positive or even neutral impact on either the building or conservation area. Proposal goes against principles in Policy 39 of the NELLP 2018.

Grimsby and Cleethorpes and District Civic Society - Objection to the application as uPVC is not in keeping with nature of property due to being within a conservation area.

Councillor Wilson request for Committee - This proposal has been recommended for refusal on conservation grounds. I would like the committee to consider this application as the windows need replacing and using modern materials reduces the heat loss through them. Which obviously helps with our green ambitions for the area. My understanding is that the window replacements would look like the ones already installed, therefore does not take away the character of the building. Furthermore, most of the shopping mall has been upgraded, therefore these new materials would fit in.

Neighbours

7 Queens Parade, Cleethorpes - Comment in support, the installation of appropriate uPVC windows in keeping with the original casement windows would be almost indistinguishable from the timber windows. Double glazed units would be environmentally sustainable reducing heating requirements and reduce drafts for individuals using the therapy rooms for the provision of essential mental health counselling services.

55 Greengate Lane, South Killingholme - Comment in support, uPVC already utilised at ground floor and would be aesthetically pleasing for all to match. Single painted windows encourage damp.

66 Farebrother Street, Grimsby - Comment in support, windows require replacement and rooms internally are cold.

APPRAISAL

Planning Considerations

The main issue to be considered is the impact of the proposed replacement of the existing timber windows with uPVC on the visual appearance and character of the building and the resultant impacts of this to Grimsby Central Conservation Area.

Policy 22 of the NELLP (2018) indicates that "...a high standard of sustainable design is required in all developments. The Council will expect the design approach of each development to be informed by:

A. a thorough consideration of the particular site's context (built and natural environment, and social and physical characteristics) and;

B. vii. protection and enhancement of heritage assets, including character and local distinctiveness;

viii. high quality public realm."

Policy 39 states, 'Proposals for development will be permitted where they would sustain the cultural distinctiveness and significance of North East Lincolnshire's historic urban,

rural and coastal environment by protecting, preserving and, where appropriate, enhancing the character, appearance, significance and historic value of designated and non-designated heritage assets and their settings. In addition, point 2, F of Policy 39, the policy states that the Council; "seek an approach that encourages sympathetic uses, and repair, maintenance and restoration of heritage assets."

In this instance, the application site building is an unlisted building from the Victorian era that is located in a prominent position along Abbey Walk within Grimsby Central Conservation Area, opposite Abbey Walk multi-storey car park.

The existing building has a pebble dashed finish to the external walls with signage and unsympathetic use of uPVC windows within the ground floor which have been installed for more than 10 years, however it is noted that no records of obtaining planning permission for the installation of uPVC at ground floor can be found. There is existing fenestration present within the exterior of the building in the form of doorway and window details, with timber sash windows being present at first floor.

It is important that the quality of the area is maintained and not further degraded by the changing of the wooden windows for uPVC. Examples of the use of uPVC windows at the ground floor of this building and elsewhere within the conservation area only demonstrates the harm that using an unsympathetic material has on the built heritage and the importance in making sensitive change.

It is important to note that the use of double glazed windows is not opposed, however that they should be wooden double glazed units in a sash which would represent a more sustainable and more efficient design for heating. They are able to be repaired more easily and can be recycled once no longer required unlike uPVC. It is not considered that the 'green' agenda makes the case for the windows in this case. Quite the opposite.

In visual terms the existing windows are timber sash ones and have the intricate appearance of depth and finesse of a traditional design and finish. Even at first floor this enhances the character of the building and the conservation area. At some point the ground floor frontages will need changing and this will give the opportunity to provide a more sympathetic appearance to the buildings. The proposed top opening uPVC windows lack all of that detailing and will appear much less refined and obtrusive and chunky in appearance. Applied glazing bars are too thick and the visual affect of shiny plastic is out of character. Indeed in this case the window form does not try to replicate a traditional sash. All in all the proposal would have a negative impact on the character and appearance of the conservation area.

As such it is considered that the development would be contrary to Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018) as well as being contrary to the provisions of the National Planning Policy Framework (2023).

CONCLUSION

The replacement of the existing timber windows with uPVC is contrary to Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and sections 12 and 16 of the NPPF and the requirements of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as the use of uPVC windows, due to the material and finish, would cause harm to the character of the building which would cause detrimental harm to the character and appearance of the Grimsby Central Conservation Area. The application is therefore recommended for refusal.

RECOMMENDATION

Refused

(1) The replacement of the existing timber windows with uPVC is contrary to Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and sections 12 and 16 of the NPPF and the requirements of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as the use of uPVC windows, due to the material and finish, would cause harm to the character of the building which would cause detrimental harm to the character and appearance of the Grimsby Central Conservation Area.

Informative

1 Informative

Plans and documents included in this refusal are as follows:

Site Location Plan and Block Plan received 14th December 2023

Proposed Plans and Elevations received 15th December 2023

Heritage Assessment received 13th December 2023

Flood Risk Assessment received 14th December 2023

DM/1219/23/FUL – 10, 12 AND 16 ABBEY WALK, GRIMSBY



DM/1219/23/FUL – 10, 12 AND 16 ABBEY WALK, GRIMSBY

