

**NORTH LINCOLNSHIRE COUNCIL**

**PLANNING COMMITTEE**

**24 February 2021**

**PRESENT:** - N Sherwood (Chairman)

Councillors J Evison (Vice-Chair), S Bainbridge, L Foster, M Grant, R Hannigan, D Southern, P Vickers, D Wells and E Marper.

Councillors R Allcock, J Briggs, T Foster, T Mitchell, N Poole, J Reed and J Walshe attended the meeting in accordance with Procedure Rule 1.37(b).

This was a Microsoft Teams Virtual Online meeting.

**2071 SUBSTITUTIONS**

Councillor E Marper substituted for Councillor J Davison.

**2072 DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING) AND WHIPPING ARRANGEMENTS (IF ANY).**

The following member declared a personal and prejudicial interest -

Councillor T Foster

Application: PA/2020/554 (Minute: 2075(i))

Interest: Personal friend of an interested party.

The following member declared a personal interest –

Councillor T Mitchell

Application: PA/2020/1928 (Minute: 2076(xii))

Interest: Member of same community group as owner of adjacent property.

The following members declared that they had been lobbied –

Councillor R Allcock

Application: PA/2020/2037 (Minute: 2076(i))

Councillor S Bainbridge

Application: PA/2020/613 (Minute: 2076(ii))

Councillor J Briggs

Application: PA/2020/613 (Minute: 2076(ii))

Councillor J Evison

Application: PA/2020/613 (Minute: 2076(ii))

Councillor L Foster

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Application: PA/2020/613 (Minute: 2076(ii))

Councillor M Grant

Application: PA/2020/613 (Minute: 2076(ii))

Councillor R Hannigan

Application: PA/2020/613 (Minute: 2076(ii))

Application: PA/2020/1756 (Minute: 2076(ix))

Councillor T Mitchell

Application: PA/2020/1928 (Minute: 2076(xii))

Councillor N Poole

Application: PA/2020/554 (Minute: 2075(i))

Application: PA/2020/764 (Minute: (2074(i))

Councillor J Reed

Application: PA/2020/613 (Minute: 2076(ii))

Councillor N Sherwood

Application: PA/2020/613 (Minute: 2076(ii))

Councillor D Southern

Application: PA/2020/613 (Minute: 2076(ii))

Application: PA/2020/1066 (Minute: 2074(ii))

Councillor P Vickers

Application: PA/2020/613 (Minute: 2076(ii))

Councillor J Walshe

Application: PA/2020/1732 (Minute: 2076(vii))

Councillor D Wells

Application: PA/2020/613 (Minute: 2076(ii))

Application: PA/2020/1563 (Minute: 2076(xi))

Application: PA/2020/1746 (Minute: 2076(viii))

- 2073 **TO TAKE THE MINUTES OF THE MEETINGS HELD ON 16 DECEMBER 2020 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN.**

**Resolved** – That the minutes of the proceedings of the meeting held on 16 December 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the Chairman.

- 2074 **APPLICATIONS DEFERRED FROM PREVIOUS MEETINGS FOR A SITE VISIT.**

In accordance with the decisions at the previous meeting, members had undertaken site visits on the morning of the meeting. The Group Manager – Development Management submitted reports and updated them orally.

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(i) PA/2020/764 by Mrs Smith for planning permission to change the use of a paddock to a children's eco-nursery, including the erection of an office, teaching lodge and polytunnel, and other associated alterations at Field south-east of Catchwater Farm, Butterwick Road, Messingham, DN17 3PL.

An objector addressed the committee and opposed the application due to its adverse impact on providing local employment in the countryside. Messingham was currently served by two children's nurseries which were not at full capacity. Allowing this application may result in the existing nurseries closing and local people becoming unemployed. The proposed development would not add anything new or innovative to Messingham as the two existing providers could offer exactly the same facilities. The proposed site was not in the village, there was no public footpath leading to the site and was not served by any public transport.

Councillor Poole, as local ward member, addressed the committee. He too was concerned that the proposed site was not served by a public footpath. Access to the site was off a national speed limit road and all users of the nursery had to travel to the site by car. Councillor Poole also had serious concerns about the floor height of the development in relation to nearby fields. It would only be 20 cm higher than the level of nearby fields. There was also no statement on the application that stated the need for the development. He respectfully requested that the application be deferred for further work to be carried out with the applicant on a number of the conditions.

Councillor T Foster also spoke as a local ward member. He concurred with the representation made by Councillor Poole.

Councillor Evison agreed more work needed to be carried out on the travel plan, and further consultation with the application was required before making a decision.

**Resolved** – That the application be deferred to allow council officers to discuss the application with the applicant, with particular emphasis on conditions 7, 9 and 10 and the proposed floor levels of the development.

(ii) PA/2020/1066 by Mr M Richards for outline planning permission for up to five dwellings and associated works with appearance, landscaping, layout and scale reserved for subsequent consideration at Butchers Arms, White House Lane, West Halton, DN15 9AZ.

An objector spoke on behalf of a number of residents raising concerns on the impact the proposal would have on the community as it would directly affect the public house. He stated it was an essential community site, and this would reduce the viability of the pub. He highlighted the number of family events, and outdoor socialising would be lost, and it was the only pub within the vicinity. There was also concerns for access to the pumping station on the site.

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The agent spoke and indicated it was an application for outline planning permission and was for the principal of the development. He indicated that the applicant had commissioned policy reports that addressed any concerns raised by consultees and was happy to see the Planning Officer was happy with it and recommended grant permission. He also stated that the development would meet the council's housing needs and any concerns about the future of the pub were confirmed in the officer's report that there was no evidence the pub would close if the application was approved.

Councillors Ogg and Marper spoke on behalf of a number of their residents against the application. They had various concerns with it including the fact that it was contrary to a number of policies. It was detrimental to the village and the community. Issues with the sewage pumping station situated behind the development, and it was outside the development boundary.

Councillors Hannigan and Grant were also against the proposal having visited the site and listening to the objections and the concerns raised.

It was moved by Councillor Marper and seconded by Councillor Hannigan –

That planning permission be refused for the following reasons –

1.

The proposed development was contrary to policy RD2 of the North Lincolnshire Local Plan, policies CS2, CS3 and CS8 of the North Lincolnshire Core Strategy and guidance in the National Planning Policy Framework in that the site lied outside the defined settlement boundary of West Halton in the open countryside, and was therefore located in an unsustainable location, remote from local services and public transport. In addition, no evidence had been provided to justify a special need for new dwellings in this location.

2.

By reason of the relationship with the neighbouring properties along Walker Close and Water Lane, the proposed development would result in a significant intensification of the site which currently does not exist. This would result in undue noise and disturbance from vehicular traffic and the general use to the detriment and quietude of the occupiers of the existing properties immediately to the west and south-west and was thereby contrary to policies H5 and DS1 of the North Lincolnshire Local Plan, and policy CS5 of the Core Strategy.

**Motion Carried**

2075 **MAJOR PLANNING APPLICATIONS.**

The Group Manager – Development Management and Building Control submitted a report containing details of major applications for determination

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by the committee, including summaries of policy context, representations arising from consultation and publicity and assessment of the applications.

(At this stage of the proceedings, having declared a personal and prejudicial interest Councillor T Foster left the virtual meeting for the following item).

(i) PA/2020/554 by Mr Steven Ibbotson, Cyden Homes Ltd for hybrid application comprising full planning permission to erect five dwellings and outline planning permission for 94 dwellings with appearance, landscaping, layout and scale reserved for subsequent consideration at land at Brigg Road, access located between 57 and 71 Brigg Road, Messingham.

An objector addressed the committee and expressed his concern to the committee on a number of issues.

Councillor Rose addressed the committee on behalf of local residents in his capacity as Chair of the Campaign to Protect Rural England (CPRE) Northern Lincolnshire and Regional Chair of CPRE for Yorkshire and the Humber. The CPRE were concerned about the size of the proposed development and the significant enlargement of the village, the problems of traffic along Brigg Road and the issues of access and egress to the site. There would also be an increase pressure on local services and amenities and the concern of drainage and sewerage. It was outside the development boundary of the village and was therefore contrary to policies CS2, CS3 and CS8 of the Core Strategy and policy RD2 of the Local Plan. There would also be a loss of hedgerows and trees and resulting in a loss of habitats and be contrary to CS5 and CS17 of the Core Strategy. The proposed site was also subject to flooding.

The applicant spoke in support of the application. The hybrid application would deliver much needed housing to North Lincolnshire. Messingham was a sustainable village and had excellent public transport connections to nearby towns and villages. The applicant had submitted a transport assessment and vehicle movement survey to the council's Highways department, who had subsequently not objected to the application. A flood risk assessment had been submitted and a sustainable drainage system would be installed at the site. There were no adverse impacts to the development that were outweighed by the benefits.

The Chairman read out a letter from Holly Mumby-Croft, the Member of Parliament who served the village of Messingham. The letter emphasised the problem of flooding at the development site. The majority of the site was outside the development boundary and was in open countryside. The proposed site would be detrimental to the character and appearance to the open countryside. The village infrastructure was also unable to absorb a development of this size and scale. A number of local residents had contacted the office to share their concerns about the proposed development site.

Councillor Poole, local ward member agreed with the observations made by

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the two objectors and the local Member of Parliament. Councillor Poole raised concerns about flood risk and drainage issues at the site and provided the committee with a chronology of flood and sewerage related issues in Messingham.

It was moved by Councillor Evison and seconded by Councillor Hannigan –

That the application be refused for the following reasons -

1.

The proposed development was contrary to policies RD2 of the North Lincolnshire Local Plan, and CS2, CS3 and CS8 of the adopted Core Strategy, in that the majority of the site was located outside of a defined settlement boundary and was not for specific purposes associated with a rural location, which included agriculture, forestry or to meet a special need associated with the countryside.

2.

The proposed development, by virtue of the majority of the site being outside the defined settlement boundary for Messingham and the scale of development proposed, was considered to have a significant urbanising effect on the eastern edge of the settlement by introducing a significant level of built form into the rural landscape, to the detriment of its open character and appearance. Therefore, the development was considered contrary to policies RD2, H5 and DS1 of the North Lincolnshire Local Plan, and CS5 and CS8 of the adopted Core Strategy.

3.

The applicant had failed to demonstrate, to the satisfaction of the local planning authority, that the current drainage system could adequately deal with the foul water or surface water generated by the development. The proposal was therefore contrary to policies DS14 of the North Lincolnshire Local Plan and CS19 of the North Lincolnshire Core Strategy.

**Motion Carried**

(ii) PA/2020/952 by Keadby Developments Ltd for planning permission for the creation of a biodiversity enhancement area (comprising the use of 70,000 cubic metres of excavated soil) at Land north-west and west of Keadby Power Station, Keadby, DN17 3EF.

A representative of the applicant addressed the committee and explained the history of the application. The applicant was committed to creating a biodiversity area that enhance the local area. The site could not be accessible to the public due to it being a working power station, with safety being of paramount importance.

Councillor Reed, as local ward member spoke on the application, to encourage the applicant to use the excess soil productively to create a community benefit. Flooding was a real concern in the area. Using the

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excess soil to raise the embankment was much more beneficial than it just being left to serve no purpose.

Councillor Briggs addressed the committee as the local ward member and urged the committee to hold a site visit before making a decision.

**Resolved** - That the application be deferred to the next meeting to allow the committee to visit the site.

2076 **PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE.**

The Group Manager – Development Management submitted a report incorporating a schedule containing details of applications for determination by the committee including summaries of policy context, representations arising from consultation and publicity and assessment of the applications. The Head of Development Management updated the reports orally where appropriate. Other officers attending gave advice and answered members' questions as requested.

(i) PA/2019/2037 by Mr Anthony Hopkins, Wroot Farming Company for planning permission to site a temporary agricultural worker's dwelling, including associated works at land at Church Farm, Field Lane, Wroot, DN9 2BU.

The agent spoke in favour of the application. The application was for a temporary dwelling to support the vineyard. The site now contained over 3,000 vines. The rationale behind the application was to protect the vines from frost, security presence at the site, protect the vines from vermin and ensure vine maintenance.

Councillor Allcock, as local ward member, spoke in support of the application. The vineyard employed local people and the temporary accommodation would ensure the sites short term future. There had been no objections to the application from the council's Highways department, Environment Agency, Internal Drainage Board or Wroot Parish Council. The applicant had submitted all required documentation that demonstrated the need for the temporary dwelling.

It was moved by Councillor Evison and seconded by Councillor Hannigan –

That planning permission be granted in accordance with the following conditions and reasons –

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

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

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: 2019|01, 2019|6832|02 and Static Caravan Plans and Elevations.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

The occupation of the temporary accommodation (static caravan) shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower or surviving civil partner of such a person, and to any resident dependants.

Reason

Permission was granted only after taking account of the particular personal circumstances involved and therefore as an exception to policies RD2 of the North Lincolnshire Local Plan and CS3 of the adopted Core Strategy.

4.

The use of the caravan for temporary residential accommodation shall be discontinued on or before seven years from the date of this permission, the caravan removed from the site and the land restored to its previous condition to the satisfaction of the local planning authority.

Reason

Permission was granted only in the light of the short-term need for the development.

5.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

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6.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking space(s) serving it have been completed and once provided, the parking space(s) shall thereafter be so retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

Additional informatives:

1.

The Internal Drainage Board would wish to be consulted directly if the following cannot be achieved and discharge affects the Board's district:

- existing catchments and sub-catchments to be maintained
- surface water run-off limited to 1.4l/s/ha for pumped and lowland catchments.

Surface water run-off rates to receiving watercourses must not be increased as a result of the development.

2.

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

**Motion Carried**

(ii) PA/2020/613 by Mr Terry Milner for outline planning permission for six residential building plots with appearance, landscaping and scale reserved for subsequent consideration at White House Farm, Main Street, Ealand, DN17 4JG.

An objector to the application addressed the committee and shared his concerns over potential flooding at the site. The flood risk at the site was extremely high. In 2019, the Planning Inspector found that the site had failed the sequential test, with alternative sites to be considered. There were also issues with foul drainage at the site.

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The applicant's agent spoke in support of the application. The application had previously been refused when it was considered by the committee for reasons of insufficient information being provided by the applicant to demonstrate that the application would not have an adverse impact on the existing drainage system. The committee had recently approved planning applications in Ealand that resulted in two applications for a further 55 dwellings in the village. An additional six bungalows would not have an adverse impact on the local drainage infrastructure. The proposed drainage system at the site had been approved by the council's drainage team.

Councillor Briggs as local ward member addressed the committee. He stated that he was not against development in Ealand. However, no development could be permitted until a sewerage and water management scheme for the area was enhanced. Therefore, he could not support this application.

Councillor Reed, as local ward member also addressed the committee, and stated that, in her opinion, there was insufficient information submitted by the applicant to demonstrate that the development would not have an adverse impact on neighbouring properties.

It was moved by Councillor Evison and seconded by Councillor Hannigan –

That planning permission be refused for the following reasons –

1.

Insufficient information had been provided to demonstrate that the proposed development of six dwellings would not have an unacceptable impact on the existing drainage system and would not result in an increased risk of flooding to neighbouring properties. The proposal was therefore contrary to policy DS14 of the North Lincolnshire Local Plan, policy CS19 of the North Lincolnshire Core Strategy and paragraph 163 of the National Planning Policy Framework.

**Motion Carried**

(iii) PA/2020/751 by Mr D Fenwick for planning permission to erect a sustainable dwelling (including demolition of existing outbuilding) at land south of Fairview, Brook Lane, Scawby Brook, DN20 9JZ.

The agent spoke in support of the application and referred to the officer's report recommending approval. The application was exceptional and innovative in design. It would be a carbon neutral family home and as environmentally friendly as possible.

**Resolved** – That planning permission be granted in accordance with the recommendations contained within the officer's report.

(iv) PA/2020/1494 by Mr R Sodha for hybrid application comprising full

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planning permission to change the use of a public house to a dwelling with associated works and outline planning permission for three dwellings with appearance, landscaping, layout, and scale reserved for subsequent consideration at King William IV, 177 Scawby Road, Scawby Brook, DN20 9JX.

The applicant's agent addressed the committee and spoke in support of the application. The application was a hybrid application incorporating full planning permission to change the use of the public house into one dwelling and outline planning permission for three dwellings. The King William public house had unfortunately not made a profit for a number of years and attempts to make the building viable had been unsuccessful. It was therefore agreed that the building be converted in to one dwelling alongside a proposal for three further dwellings.

Councillor Hannigan asked the committee if they could have a site visit on this application before making a decision as he felt they needed to have a look at the site.

**Resolved** – That the application be deferred to the next meeting to allow the committee to visit the site.

(v) PA/2020/1522 by Mr & Mrs M Johnson for outline planning permission to erect a detached dormer bungalow with all matters reserved for subsequent consideration at land at Levels Farm, 98 Outgate, Ealand, DN17 4JD.

**Resolved** – That planning permission be granted in accordance with the recommendations contained within the officer's report.

(vi) PA/2020/1563 by Mr Martin Cawkwell for planning permission to erect a rear access garden boundary wall with dwarf walls leading over covered culvert at Homefield, Thorn Lane, Goxhill, DN19 7JE.

**Resolved** – That planning permission be granted in accordance with the recommendations contained within the officer's report.

(vii) PA/2020/1732 by A & E Fowler, Ian Fowler & Company for outline planning permission for a residential development of up to nine dwellings with all matters reserved for subsequent consideration at farmyard off South View, Burringham.

An objector spoke against the application. He was concerned that the application was at the detriment of the residents of Burringham. The infrastructure was insufficient to cope with an additional nine dwellings. The highways infrastructure was also unable to manage additional vehicle movements from the new dwellings. Burringham was at saturation point for planning applications and could not cope with any more dwellings.

The applicant's agent addressed the committee and spoke in support of the

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planning officer's recommendation. The application had been reduced to less than 20 per cent of the previous applicant at the site. Previous objections related to the visual impact of the scheme, appropriate level of growth in Burringham and drainage and flooding in the area. All of which had now been addressed. There were no objections from the Environment Agency, council's drainage section or any other professional organisation.

The Chairman read out a letter received from the Andrew Percy, local Member of Parliament which included the village of Burringham. There had, unfortunately, been many recent examples of flooding in Burringham, particularly over the last ten years. There were many flooding issues that remained unresolved and there was genuine concern in the village that this development would only exacerbate the existing problems in Burringham.

Councillor Walshe, local ward member spoke to support the objections of local residents. Surface water flooding was a major concern in the village. In 2007 and 2013 there had been serious incidents of flooding in Burringham which had adversely affected many properties in the village. The highways infrastructure would be compromised by additional vehicle movements from the proposed site.

It was moved by Councillor Evison and seconded by Councillor Marper –

That planning permission be refused for the following reasons –

1.

The proposal, by virtue of its location in the open countryside, outside the confines of any detailed settlement boundary, would introduce harmful character impacts upon the open countryside by urbanising the existing rural landscape. The proposal was therefore contrary to the aims of policies CS2 and CS8 of the North Lincolnshire Core Strategy, and RD2 of the North Lincolnshire Local Plan. In addition, the site was in an unsustainable location that was remote from local services and public transport and was therefore contrary to paragraph 11 of the National Planning Policy Framework.

2.

The applicant had failed to demonstrate, to the satisfaction of the local planning authority, that the current drainage system could adequately deal with the foul water generated by up to nine additional dwellings. The proposal was therefore contrary to policies DS14 and DS16 of the North Lincolnshire Local Plan, and CS19 of the North Lincolnshire Core Strategy.

**Motion Carried**

(viii) PA/2020/1746 by Mr R Lockwood for outline planning permission for the erection of four dwellings, including demolition of existing dilapidated barn (with all other matters reserved for subsequent consideration) at land adjacent to 4 Thornton Road, Wootton, DN39 6SJ.

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Councillor Wells spoke on the application and whilst he did not have a problem with the proposal, he was concerned with the path frontage across the site and requested that an additional condition be included to cover the footpath.

**Resolved** – That planning permission be granted in accordance with the officer's recommendations with the addition of the following condition:

15.

...No development shall take place until details showing the improvements to the footway across the whole of the site frontage and the footpaths up to the new dwellings have been submitted to and approved in writing by the local planning authority.

(ix) PA/2020/1756 by Mr & Mrs M Taylor for planning permission to erect a detached bungalow at Animal Farm, North End, Goxhill, DN19 7JX.

An objector spoke at the meeting against the application. She was concerned that the application would compromise the privacy of nearby residents. The windows would overlook neighbouring properties. The development required the demolition of a wall that had been built for many many years. Flooding was also a major concern. The site had recently flooded which had an adverse impact on neighbouring properties. The applicant did not own any of the boundary's that surrounded the application site.

**Resolved** – That planning permission be granted in accordance with the recommendations contained within the officer's report.

(x) PA/2020/1794 by Mr Mark Wall, NPP Properties Ltd for planning permission to erect a storage/warehouse building (use ClassB8) at Talasey House, Belton Road, Sandtoft, DN8 5SX

**Resolved** – That planning permission be granted in accordance with the recommendations contained within the officer's report.

(xi) PA/2020/1869 by Mr Peter Moxon, MXN Investments Ltd for planning permission for change of use and associated works for the conversion of the first floor and ground floor entrances of 13 High Street from retail (E(a)) to residential (C3) to provide six one-bedroom flats at 13 High Street, Kirton in Lindsey, DN21 4LZ.

The applicant's agent addressed the committee, supported the planning officer's recommendation, and spoke in support of the application. The site was in a highly sustainable location in the heart of Kirton-in-Lindsey. Local amenities were less than a minute walk away. There were no objections from the council's highways department.

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**Resolved** – That planning permission be granted in accordance with the recommendations contained within the officer's report.

(xii) PA/2020/1928 by Mr Tim Jackson for planning permission to erect a dwelling at 26 Hollingsworth Lane, Epworth, DN9 1EY.

Councillor Mitchell, local ward member spoke in support of local residents and the town council who had objected to the application. The site was over developed with an unacceptable loss of amenity to neighbouring properties. It also had an unacceptable impact on the street scene.

**Resolved** – That the application be deferred to the next meeting to allow the committee to visit the site.

2077 **ANY OTHER ITEMS, WHICH THE CHAIRMAN DECIDES ARE URGENT, BY REASONS OF SPECIAL CIRCUMSTANCES, WHICH MUST BE SPECIFIED.**

There were no urgent items considered at the meeting.