

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

24 March 2021

PRESENT: - Councillor N Sherwood (Chairman)

Councillors J Evison (Vice-Chair), S Bainbridge, J Davison, L Foster, M Grant, P Vickers, D Wells, C O'Sullivan and C Sherwood

Councillors Briggs, T Foster, Marper, Mitchell, Robinson, Rowson, Ogg and Poole attended the meeting in accordance with Procedure Rule 1.37(b).

This was a Microsoft Teams Virtual Online meeting.

2078 **SUBSTITUTIONS**

Councillor C Sherwood substituted for Councillor R Hannigan and Councillor C O'Sullivan substituted for Councillor D Southern.

2079 **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 J Evison
Application: PA/2020/250 (Minute: 2085)
Reason: Applicant

The following members declared a personal interest –

Councillor S Bainbridge
Application: PA/2020/250 (Minute: 2085)
Reason: Member of North Lincolnshire Council

Councillor J Davison
Application: PA/2020/250 (Minute: 2085)
Reason: Member of North Lincolnshire Council

Councillor L Foster
Application: PA/2020/250 (Minute: 2085)
Reason: Member of North Lincolnshire Council

Councillor M Grant
Application: PA/2020/250 (Minute: 2085)
Reason: Member of North Lincolnshire Council

Councillor T Mitchell
Application: PA/2020/1928 (Minute: 2081 iv)

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

Councillor D Rose

Application: PA/2021/20 (Minute 2083 iv)

Reason: Chair of Campaign to Protect Rural England (North Lincolnshire)

Councillor C Sherwood

Application: PA/2020/250 (Minute: 2085)

Reason: Member of North Lincolnshire Council

Councillor N Sherwood

Application: PA/2020/250 (Minute: 2085)

Reason: Member of North Lincolnshire Council

Application: PA/2020/1971 (Minute 2084 ii)

Reason:

Councillor C O'Sullivan

Application: PA/2020/250 (Minute: 2085)

Reason: Member of North Lincolnshire Council

Councillor P Vickers

Application: PA/2020/250 (Minute: 2085)

Reason: Member of North Lincolnshire Council

Councillor D Wells

Application: PA/2020/250 (Minute: 2085)

Reason: Member of North Lincolnshire Council

The following members declared that they had been lobbied –

Councillor E Marper

Application: PA/2019/568 (Minute: 2082 i)

Councillor T Mitchell

Application: PA/2020/1928 (Minute: 2081 iv)

Application: PA/2020/2028 (Minute: 2082 iii)

Councillor N Poole

Application: PA/2020/764 (Minute: 2081 i)

Application: PA/2020/1418 (Minute: 2082 ii)

Councillor D Robinson

Application: PA/2020/2028 (Minute: 2082 iii)

Councillor C Sherwood

Application: PA/2020/1494 (Minute: 2081 iii)

Councillor N Sherwood

Application: 2019/809 (Minute: 2084 i)

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Application: PA/2020/1494 (Minute: 2081 iii)

2080 **TO TAKE THE MINUTES OF THE MEETING HELD ON 27 JANUARY 2021 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN.**

Resolved – That the minutes of the proceedings of the meeting held on 27 January 2021, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the Chairman.

2081 **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.

(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.

Prior to consideration of this item, Councillor T Foster, local ward councillor spoke to express his concerns over the 40 mph speed limit that was in place on the road where the application was sited.

Councillor Poole, local ward councillor also addressed the committee. He confirmed that council officers had now spoken with the applicant and it was agreed that the minimum floor height be 0.5 metres and that it be included in condition 4. Councillor Poole also had concerns over the requirement for the travel plan to be reviewed annually which, in his opinion, was evidence that council officers had concerns about the application location. Consequently, a temporary planning permission for a period of three years may be appropriate to attach to the conditions.

Councillor J Evison agreed with the statement made by Councillor Poole. He agreed that the minimum floor height of 0.5 metres was acceptable and that a three year permission was also a prudent measure to include on the conditions. Therefore, he was minded to grant the application.

Councillor J Davison too agreed with Councillor Poole. The development was not accessible via public transport and users had to travel down a bumpy narrow road. Therefore, to review the application in three years time would be appropriate.

Resolved – That planning permission be granted in accordance with the recommendations contained within the report, subject to the inclusion of the following conditions -

The development hereby permitted shall be removed and the land restored to its former condition on or before the expiration of three years from the date of this permission in accordance with details to be submitted to and agreed in writing by the local planning authority.

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Reason: Permission is granted for a temporary period in order to assess the impact of the development on the area in accordance with policies RD2, DS16, T1 and T2 of the North Lincolnshire Local Plan, and CS3 and CS19 of the adopted Core Strategy.

4.

The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) and in particular the following mitigation measures detailed within the FRA:

- all buildings (other than in the case of the offices and classrooms) to be set at or above existing site levels (the classrooms and offices to be set a minimum of 0.5 metres above existing ground levels)
- flood emergency procedures to be in place.

Reason

To reduce the risk and impact of flooding to the development and future users.

(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 of Keadby Power Station, Keadby, DN17 3EF.

Councillor Briggs, local ward member addressed the committee to share his concerns over the addition of such a large spoil heap on the landscape. The soil could, in his opinion, be used more productively to benefit the River Trent bank. Local residents had suggested numerous schemes to benefit the community, which had not even been considered. The current application would add no real benefit to the local environment.

Councillor Evison stated that he was disappointed that the applicant had not engaged with the council over the application. He agreed with the ward councillor and stated that the height of the earth mounds was too intrusive on the environment and was not in keeping with the landscape.

Councillor P Vickers stated that he was in agreement with the comments made by the local ward member and Keadby with Althorpe Parish Council and that the application should be refused.

It was moved by Councillor Evison and seconded by Councillor P Vickers –

That planning permission be refused for the following reasons:

1.

The proposed development, by virtue of the height of the proposed earth mounds above existing ground levels, the volume of material to be stored and

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its proximity to the canal towpath to the south (Stainforth and Keadby Canal), was considered to result in a visually prominent form of biodiversity enhancement which formed an alien and discordant feature in the rural landscape, to the detriment of its character and appearance. Accordingly, the proposal is considered contrary to policies RD2 and DS1 of the North Lincolnshire Local Plan and CS5 of the adopted Core Strategy.

Motion Carried

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

Prior to consideration of the item, the applicants agent addressed the committee. She stated that the application would result in no adverse impact on the character of the area or neighbouring properties. It was a sustainable development. There would be no adverse impact on street scene or area. The application would support the local economy and environment. The pub had struggled to make a profit for a number of years and attempts to sell the premises had not been successful. Therefore, a change of use to a residential conversion would be the most appropriate use of the building. The loss of the King William would not result in the loss of a community facility.

Councillor Poole, local ward member stated that it was always sad when a public house had to close. However, it was important that the building be utilised and not left boarded up.

Councillor J Evison stated that he was happy to grant the application, subject to the inclusion of an additional condition that ensured that the porch was not re-built.

Councillor J Davison stated that he supported the application.

Resolved – That planning permission be granted in accordance with the recommendations contained within the report, subject to the inclusion of the following condition -

Notwithstanding the provisions of Schedule 2 Part 1 Class D of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), there shall be no provision of any porch to the dwelling hereby approved for conversion from the former King William IV public house.

Reason: To satisfactorily protect the character and appearance of the area and the residential amenities of future and neighbouring occupiers, in accordance with policy CS5 of the North Lincolnshire Core Strategy and policy DS1 of the North Lincolnshire Local Plan.

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

Councillor Mitchell addressed the committee as local ward councillor. He stated the similarities between the current application and PA/2020/761, which was refused by the committee. The footprint of the application was exactly the same as the previous application. There would be a loss of amenity too at the adjacent property. Therefore, the application should again be refused.

Councillors Evison and C Sherwood stated that, in their opinion, the footprint of the development site was smaller than the previous application.

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

2082 **MAJOR PLANNING APPLICATIONS.**

The Group Manager – Development Management and Building Control submitted a report containing details of major applications for determination by the committee, including summaries of policy context, representations arising from consultation and publicity and assessment of the applications.

(i) PA/2019/568 by Mr Mark Graves, Maltgrade Ltd for outline planning permission for up to 29 dwellings (a mix of houses and bungalows) with all matters reserved for subsequent consideration at land adjacent to Rogate, 30 Silver Street, Winteringham, DN15 9ND.

Three objectors addressed the committee and spoke against the application. They stated that the application was not sympathetic to the current layout of the village and the site was outside the development boundary of the village. The site was on open agricultural land and was subject to flooding. The original application was for 29 two-bedroom bungalows. The application was now for a mixture of 2, 3 and 4 bedroom dwellings. The application would likely increase the size of the village by 10 per cent. The village could not sustain a development of this size and would have an adverse impact on the village carbon footprint. Winteringham does not feature as a settlement designated for development in the local plan. The committee had also previously refused an application for a similar size development adjacent to the site in the village. Local amenities were at saturation point and could not support a new large development in the village. The site was prime agricultural land and contained a large number of species.

Councillors Marper and Rowson, local ward members spoke in support of the objectors to the application and respectfully requested that the committee refuse the application.

The council's Group Manager – Development Management and Building Control informed the committee that the applicant had requested that the application be deferred to allow them to undertake the necessary fieldwork

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referenced in the holding objection by the council's Archaeologist.

Resolved - That planning permission be refused in accordance with the officer's recommendation.

(ii) PA/2020/1418 by Mr S Kapil, Rosemoor Developments for outline planning permission for residential development with all matters reserved for subsequent consideration at land to the rear of 36 Messingham Lane, Scawby, DN20 9BA.

Two objectors addressed the committee and spoke against the application. They suggested that the application and associated building works would destroy animal habitats at the proposed site. The development would result in a significant number of extra vehicle movements. The site was prime arable farmland and should be protected to allow crops to be grown. There was no medical practice in the village, the local school was oversubscribed and there was minimal public transport in the area. A similar application at the site was previously refused by the committee. The application would have an adverse impact on the appearance and character of the open countryside. There were a number of dwellings which had recently been built in the village that had not been sold, therefore, was any further development in the area needed? The site was not in the North Lincolnshire Local Plan and was designated as an area of historical landscape interest.

Councillors T Foster and Poole, local ward members, spoke against the application. Road safety was a real concern for many local residents. There was no footpath close to the development site. Scawby was at capacity and could not sustain further development in the village. The application site was prone to flooding and was not appropriate for development. The resubmission of the application did not address any of the reasons why it was previously refused by the committee. The application site was outside of the existing development boundary and not included in the new North Lincolnshire Local Plan.

Councillor J Evison stated that it was a small rural community. The application was contrary to policy CS9 of the North Lincolnshire Core Strategy as there was a large amount of greenfield site already in this community. He was also concerned that the planning application was an attempt to urbanise a rural landscape and was contrary to policies CS8 and DS1 of the North Lincolnshire Local Plan.

Councillor J Davison believed that due to the 5-year housing supply issue the planning officer had to recommend granting the application. However, as a result of the application being on grade 2 agricultural land, the application should be refused.

It was moved by Councillor Evison and seconded by Councillor J Davison –

That the application be refused for the following reasons -

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1.

The proposal was located within the open countryside on grade 2 agricultural land and was considered unacceptable in principle. The applicant had failed to demonstrate that any material considerations exist that would justify a departure from the development plan. The proposal would have an unacceptable impact upon the character and appearance of the open countryside and was contrary to policies CS2, CS3, CS5 and CS8 of the Core Strategy as well as DS1, RD1 and RD2 of the North Lincolnshire Local Plan.

2.

Insufficient evidence had been provided to prove that there was a demonstrable need for the proposed affordable housing to serve the settlement of Scawby. The proposal was therefore contrary to policy CS9 of the North Lincolnshire Core Strategy.

3.

Insufficient information had been provided to demonstrate that the proposed development would not result in an increased risk of flooding to the site or adjacent land. In particular, the applicant had failed to demonstrate that a suitable drainage strategy, based on the principles of SuDS, can be achieved on site. The proposal was therefore contrary to policy CS19 of the North Lincolnshire Core Strategy, and policies DS14 and DS16 of the North Lincolnshire Local Plan.

Motion Carried

(iii) PA/2020/2028 by Modernistiq Harrogate Ltd for application for the modification of planning obligations attached to PA/2017/1975 at land off Westgate Road, Westgate, Belton.

Councillor Mitchell, local ward member addressed the committee. He stated that the planning application was opposed by the parish council and many local residents. There was concern as to the motives of the developer for wanting to modify the section 106 agreement.

Councillor Robinson, local ward member stated that it was disappointing to see this application to modify the section 106 agreement given the large community benefit it would bring. Unfortunately, the landowner would not move on the price of the site despite the fact that the 23 houses would generate significant profit.

Resolved – That the existing planning modification be modified in accordance with the recommendations contained within the report.

2083 **PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE.**

The Group Manager – Development Management and Building Control 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

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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/2020/1345 by Mr Adrian Axe for planning permission to convert existing barn to residential and erect two detached dwellings with associated works at Barn, Station Road, Owston Ferry.

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

(ii) PA/2020/1729 by Mr Daniel Smith for planning permission to erect a first-floor extension to the front and a two-storey extension with balcony to the rear, with associated external alterations at Cemetery Lodge, 30 Wrawby Road, Brigg, DN20 8DT.

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

(iii) PA/2020/2050 by Mr L Kirkland for planning permission to erect a two storey and single storey extension to the rear of Rotherlea, A161 between Epworth and Haxey, Low Burnham, DN19 1DA.

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

(iv) PA/2021/20 by Mr and Mrs S Watson for planning permission to erect a dwelling at Lavenham House, Fields Road, East Lound, DN9 2LR.

Prior to consideration of this item, an objector addressed the committee and stated that she had been a resident of East Lound for over 20 years. In her opinion, infill applications were not appropriate for the village. Allowing this application would set a precedent for the development of any other infill plot in the village. Flash flooding was a real concern in East Lound that had affected many properties on the village, resulting in flooded gardens and properties. The proposed application would also face directly into her kitchen window, resulting in a loss of amenity. The application was outside of the development boundary and had previously been refused on appeal. Access to the application site was also very narrow.

The applicant's agent spoke in support of the application. He commented that the planning officers report and recommendation supported the proposal. The application was not in a conservation area and the council's archaeologists had not objected to the proposal. The proposed development was a modern style building with a contemporary feel. The site was within flood zone 1 which was preferable. There were no objections to this planning application from the council's drainage engineers. The development was designed as a two-storey house as it was for an older gentleman with a medical condition to assist him in meeting his future needs.

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Councillor Rose, local ward member stated that he had serious concerns for this development. The main issues raised were drainage and flooding as there was a history of flooding on the site. The ditch was said to be inadequate for heavy rainfall and would not be suitable for future development due to surface water flooding. The development site was in a special historical landscape and planning decisions needed to be kept consistent. Councillor Rose said that in 2005 the application was refused on appeal and should be refused again.

Councillor J Davison stated that he would like to look at the site. In addition, he wanted clarification on a number of drainage issues from the council's drainage team.

Councillor N Sherwood said he too would like to have a site visit before voting on this planning application.

It was then moved by Councillor J Davison and seconded by Councillor N Sherwood -

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

Motion Carried

2084 APPLICATIONS FOR APPROVAL OF RESERVED MATTERS FOLLOWING THE GRANT OF OUTLINE PERMISSION

The Group Manager – Development Management and Building Control submitted a report outlining applications for reserved matters.

(i) PA/2019/809 by Mr Aaron Grantham for application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline application PA/2018/1697 dated 24/07/2020) for erection of a replacement gatehouse dwelling at Lindholme Lakes, West Carr, Epworth, DN9 1LF.

The applicant's agent addressed the committee and confirmed that the requested theft and crime report had now been submitted. Theft and crime were an ongoing problem and there had recently been a quad bike stolen in the area. The design for this planning application had been carefully thought out. This was family accommodation with a gatehouse for the property that allowed clear views down the various lanes for security. The internal drainage board needing to consent to the drainage at the site was a separate matter to planning. A drainage objection had now been withdrawn and, as a result, the application should now be granted.

Councillor J Evison reiterated that the planning application had already been granted. Therefore, the reserved matters application should also be granted.

It was then moved by Councillor J Evison and seconded by Councillor J Davison –

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That planning permission be granted for the following reasons -

1.

The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan 1962 MJ O4 Rev B (March 2021); Proposed Floor Plans 1962 MJ O1 Rev B (April 2019); Elevations 1 of 2 1962 MJ O2 (April 2019); Elevations 2 of 2 1962 MJ O2 (March 2019).

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

2.

Prior to any above-ground works, details of all external materials shall be submitted to and agreed in writing with the local planning authority. They shall be retained thereafter.

Reason: To protect the character of the open countryside and to accord with policies RD2 and DS1 of the North Lincolnshire Local Plan.

Motion Granted

(ii) PA/2020/1971 by Mr Quirke for application for approval of reserved matters following the grant of outline permission PA/2019/1912 dated 13/02/2020 for a single dwelling, namely access, appearance, landscaping, layout and scale at land adjacent to Whitegate Stables, Star Carr Lane, Wrawby, DN20 8SG.

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

(Prior to consideration of the following item (Minute 2085 refers), Councillor J Evison, having declared a personal and prejudicial interest, left the virtual meeting).

2085 APPLICATION BY A MEMBER OF THE COUNCIL

PA/2020/250 by Mr and Mrs J Evison for planning permission to erect a single storey rear extension at 11 Beck Hill, Barton upon Humber, DN18 5HQ.

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

2086 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.