

## NORTH LINCOLNSHIRE COUNCIL

### PLANNING COMMITTEE

3 August 2022

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

Councillors C Ross (Vice-Chair), S Bainbridge, J Davison, M Grant, N Poole, C Sherwood and D Southern.

Councillors J Briggs, T Mitchell, J Reed and D Rose attended the meeting in accordance with Procedure 1.37(b).

The meeting was held at the Church Square House, High Street, Scunthorpe.

2239 **SUBSTITUTIONS** - Councillor N Poole substituted for Councillor D Wells and Councillor C Sherwood substituted for Councillor R Hannigan.

2240 **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 members declared that they had a personal interest in the following items –

Councillor J Briggs

Application: PA/2022/92

Nature of Interest: Member of Humberside Fire Authority and Member of the Isle of Axholme Water Management Board.

Councillor D Rose

Application: PA/2022/830

Nature of Interest: Chair - Campaign for the Protection of Rural England (North Lincolnshire) and Chair of Campaign for the Protection of Rural England (Yorkshire and Humberside)

Councillor C Sherwood

Application: PA/2022/897

The following members declared that they had been lobbied on the following applications –

Councillor S Bainbridge

Application: PA/2021/1087 and PA/2022/799

Councillor J Davison

Application: PA/2021/1087 and PA/2021/1180

Councillor M Grant

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Application: PA/2021/1180

Councillor T Mitchell  
Application: PA/2022/653

Councillor J Read  
Application: PA/2022/92

Councillor D Rose  
Application: PA/2022/444

Councillor C Ross  
Application: PA/2021/1087 and PA/2021/1180

Councillor N Sherwood  
Application: PA/2021/1087 and PA/2021/1180

- 2241 **TO TAKE THE MINUTES OF THE MEETINGS HELD ON 5 JULY 2022 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN -** That the minutes of the meeting held on 5 July 2022, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the chairman.
- 2242 **MAJOR PLANNING APPLICATIONS** - The councils Development Management Lead 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
- 2242a **PA/2022/774 PLANNING PERMISSION FOR CHANGE OF USE OF LAND TO PERMIT THE SITING OF STATIC CARAVANS (RESUBMISSION OF PA/2020/1949). BROOKSIDE CARAVAN PARK, STATHER ROAD, BURTON UPON STATHER, DN15 9DH** - Prior to consideration of the application, the Development Management Lead updated the committee on a proposed addition to the conditions stated in the report, concerning the static caravans.

The applicant then addressed the committee. He explained that the application was a re-submission, following the refusal of the previous application. Addressing the committees' concerns, the badger set would now be protected. Additional steps would also be implemented to mitigate additional concerns expressed by members previously.

Councillor J Davison stated that following the committee's refusal of the previous application, which the planning inspector supported, the applicant had ensured that the badger set would be protected. Therefore, the application could, in his opinion, be granted.

It was then moved by Councillor J Davison and seconded by Councillor C Ross –

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

None of the proposed static caravans shall be brought into use until the entrance to the caravan site has been tarmacked, which shall be retained thereafter.

**Reason:**

To mitigate any impact from dust pollution.

2242b **PA/2022/92 PLANNING PERMISSION TO ERECT 18 DWELLINGS, GARAGES, MAPLE AVENUE, CROWLE** - Prior to consideration of the application, an objector addressed the committee. They informed the members that residents were opposed to the application as it was overbearing and against a number of planning policies. The development would generate additional noise and affect existing residents' quality of life. The new homes would tower over the bungalows, resulting in an invasion of privacy and a loss of light. The surrounding area was prone to flooding. In addition, the drainage infrastructure was insufficient. The field was used as a recreation ground by many people, which would be a great loss.

A second objector expressed their concern about the risk of flooding that the application may generate. The water table was, in the objector's opinion, higher than the figures referred to in the report. In the winter, the field indirectly became a natural flood plain. Soakaway drainage would also make things worse.

Councillor J Briggs, local ward member informed the committee that he was supporting the residents and objecting to the application. The height of the buildings were taller than existing properties, and they were out of character. The area was already prone to flooding. The officers report made no reference to the playing field of the fact there were three other sites close by that were more appropriate for this development.

Councillor J Reed, local ward member also spoke against the application, stating her concerns over the flooding implications that may arise were the application to be granted. The site had been flooded twice in the previous five years. The loss of the children's play area was also a real cause for concern.

Councillor J Davison informed the committee that he shared the reservations stated so articulately by the two objectors and local ward members. The application would result in over development, have a detrimental impact on nearby properties and be liable to flooding.

It was then moved by Councillor J Davison and seconded by Councillor C Ross –

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That the application be refused for the following reason –

1.

The proposal, by virtue of its layout, siting and design, and the overall height of the proposed dwellings, would create a cramped form of development out of character with the surrounding residential area, and would result in overlooking and an overbearing impact on adjoining properties. It is therefore contrary to policies H5, H8 and DS1 of the North Lincolnshire Local Plan; CS2, CS5 and CS7 of the Core Strategy; and paragraphs 130 and 134 of the National Planning Policy Framework.

**Motion Carried**

2243 **PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** - The Development Management Lead submitted a report for determination by the committee including summaries of policy context, representations arising from consultation and publicity and assessment of applications. The Head of Service updated the reports orally where appropriate. Other officers attending gave advice and answered members' questions as requested.

2244 **PA/2019/1028 LISTED BUILDING CONSENT TO REPAIR AND REFURBISH CARRIAGE HOUSE AND STABLE/DOVECOTE. LAND SOUTH OF TETLEY HALL, TETLEY, CROWLE, DN17 4HY - Resolved –** That planning permission be granted in accordance with the recommendations contained within the officer's report.

2245 **PA/2021/891 PLANNING PERMISSION TO ERECT 9 DWELLINGS WITH LANDSCAPING AND ACCESS. LAND REAR OF 9-11 TORKSEY STREET, KIRTON IN LINDSEY, DN21 4PW -** The Development Management Lead informed the committee that the applicant had respectfully requested that consideration of the application be deferred to a future meeting.

**Resolved –** That consideration of planning application PA/2021/891 be deferred.

2246 **PA/2021/1087 PLANNING PERMISSION TO ERECT THREE DWELLING HOUSES AND THREE DETACHED SINGLE GARAGES WITH ASSOCIATED LANDSCAPING (INCLUDING DEMOLITION OF EXISTING OUTBUILDINGS). DONDOREEN, MARSH LANE, BARTON UPON HUMBER, DN18 5HF -** Prior to consideration of the application, an objector addressed the committee. They informed members that the original application was for two dwellings, yet this application was for three. The height of the dwellings would infringe on the existing road kerb and were too close to the highway. There were already too many properties on the road and were not in keeping with a street consisting of bungalows.

The applicant informed the committee that his application had been considered by numerous planning officers, who had inferred that the application met all planning requirements for approval. The application was

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well designed, with each dwelling having sufficient space for a garden. The dwellings were north-east facing and would have no impact on the light of the existing properties. The development would improve the area and there were no flood risk concerns. There were no objections from the Highways Authority and the street scene was like many other areas of Barton.

Councillor J Davison expressed his concerns that the access road was inadequate for the development.

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

- 2247 **PA/2021/1180 OUTLINE PLANNING PERMISSION TO ERECT FIVE DWELLINGS WITH ALL MATTERS RESERVED FOR SUBSEQUENT CONSIDERATION AND DEMOLITION OF EXISTING DWELLING. 18 MANOR ROAD, BOTTESFORD, DN16 3PA** - Prior to consideration of the application, local ward member Councillor J Longcake addressed the committee. The application would have a detrimental effect on the community. There would be an increase in the number of cars along Manor Road, which was an already busy road. The local surface water drainage infrastructure could not cope with this development.

Councillor J Davison was concerned that the development was close to the junior school. He believed that a site visit would assist members in their deliberations.

It was then moved by Councillor J Davison and seconded by Councillor C Ross –

That a site visit be held and the application be brought back to a future meeting of the committee.

**Motion Carried**

- 2248 **PA/2021/1224 PLANNING PERMISSION TO ERECT THREE BUNGALOWS. 28 DONCASTER ROAD, WESTWOODSIDE, DN9 2EA** - **Resolved** – That planning permission be granted in accordance with the recommendations contained within the officer's recommendations.
- 2249 **PA/2022/653 OUTLINE PLANNING PERMISSION TO ERECT A DWELLING WITH ALL MATTERS RESERVED FOR SUBSEQUENT CONSIDERATION. LAND OFF BELSHAW LANE, BELTON** - Prior to consideration of the application, the applicant's agent addressed the committee. He informed members that there were no objections to the application from any of the statutory consultees. The National Planning Policy Framework supported the application. The applicant had submitted a statement of need. Additional information requested by the planning authority had also been submitted. However, that information had not been published on the council's planning portal or referred to in the planning officers report. The applicant and his parents would live at the site. The likelihood of any

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theft occurring at the site would be reduced were the applicant living on site.

Councillor T Mitchell, local ward member spoke in support of the application. This application was, in his opinion, essential to the site and to the local economy. The applicant needed to live on the farm. An agricultural condition could be attached to the application if that would alleviate members concerns.

Councillor Ross acknowledged that the development site was outside of the development boundary. However, it was an agricultural site. An agricultural condition attached to the licence would, in her opinion, be appropriate.

It was then moved by Councillor C Ross and seconded by Councillor C Sherwood –

That the application be granted, subject to the inclusion of the following conditions and reasons –

1.

Approval of the details of the layout, scale, and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

2.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale, and appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

3.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the

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expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5.

The occupation of the dwelling 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 of such a person, and to any resident dependants.

Reason

Permission is granted only after taking account of the particular business needs involved and therefore as an exception to policies CS3 of the North Lincolnshire Core Strategy and RD2 of the North Lincolnshire Local Plan.

6.

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

Reason

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

7.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

A Phase 1 desk study shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the local planning authority for approval prior to proceeding to further site investigation.

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are

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subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health;
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
  - adjoining land;
  - groundwaters and surface waters;
  - ecological systems;
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with Environment Agency's Land Contamination Risk Management (LCRM) guidance October 2020.

**Part 2: Submission of Remediation Scheme**

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

**Part 3: Implementation of Approved Remediation Scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks' written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be



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produced, and is subject to the approval in writing of the local planning authority.

**Part 4: Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

**Reason**

To ensure the site is safe for future users and construction workers in accordance with policy DS7 of the North Lincolnshire Local Plan.

**Motion Carried**

- 2250 **PA/2022/765 PLANNING PERMISSION TO MAKE ALTERATIONS AND EXTENSIONS TO EXISTING DWELLING TO CREATE ADDITIONAL ACCOMMODATION, INCLUDING GROUND-FLOOR ANNEXE. 25 NORTH STREET, OWSTON FERRY, DN9 1RT - Resolved** – That planning permission be granted in accordance with the recommendations contained within the officer’s report.
- 2251 **PA/2022/799 PLANNING PERMISSION TO ERECT A TWO-STOREY REAR EXTENSION TO THE DWELLING AND A TWO-STOREY DOUBLE GARAGE, AND CARRY OUT INTERNAL ALTERATIONS AND ASSOCIATED WORKS (INCLUDING THE DEMOLITION OF THE EXISTING OUTBUILDINGS). 57 MAIN STREET, SAXBY ALL SAINTS, BRIGG, DN20 0PZ** - Prior to consideration of the item, an objector addressed the committee and informed members that he was a concerned local resident who lived very close to the site. The village was in a conservation area and the proposed application was, in his opinion, not in keeping with similar properties in the village. The application should be reduced to single storey. There was concern that the development would eventually become an annex which would set a precedent for the village.

The applicant’s agent also addressed the committee. He suggested that the garage was in keeping with neighbouring properties that had been previously granted planning permission. The applicant had listened to the concerns of local residents and revised the scheme to alleviate their concerns, particularly around the size of the dwelling and the positioning of windows. The applicant had also worked closely with the council’s conservation team to ensure the application was in keeping with the village. There would be no adverse impact on trees and a condition could be attached to the notice restricting the

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use of the development.

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

- 2252 **PA/2022/830 PLANNING PERMISSION FOR EXTENSIONS AND ALTERATIONS, INCLUDING INCREASE IN HEIGHT OF THE PROPERTY, GABLE DORMERS TO THE FRONT, LINK BUILDING AND TWO-STOREY SIDE EXTENSION, AND OTHER ASSOCIATED WORKS. 9 PARK DRIVE, WESTWOODSIDE, HAXEY, DN9 2AW** - Prior to consideration of the item, Councillor J Davison suggested that in order to understand the impact the application may have on the site, members may benefit from a site visit.

It was then moved by Councillor J Davison and seconded by Councillor C Ross –

That a site visit be held and the application be brought back to a future meeting of the committee.

**Motion Carried**

- 2253 **PA/2022/897 PLANNING PERMISSION TO ERECT A DWELLING. LAND WEST OF SHERWOOD HOUSE, THE HILL, WORLABY, DN20 0NP** - **Resolved** – That planning permission be granted in accordance with the recommendations contained within the officer's report.

- 2254 **APPLICATIONS FOR APPROVAL OF RESERVED MATTERS FOLLOWING THE GRANT OF OUTLINE PERMISSION FOR DETERMINATION BY THE COMMITTEE** - The Development Management Lead circulated a report that informed the committee about applications for approval of reserved matters which were ready for determination.

- 2255 **PA/2022/444 APPLICATION FOR APPROVAL OF RESERVED MATTERS (ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) PURSUANT TO OUTLINE PLANNING PERMISSION PA/2019/1779 DATED 12/03/2020 FOR ONE DWELLING. NEWBIGG, WESTWOODSIDE, DN9 2AT** - Prior to consideration of the item, Councillor J Davison suggested that in order to understand the impact the application may have on the site, members may benefit from a site visit.

It was then moved by Councillor J Davison and seconded by Councillor C Ross –

That a site visit be held and the application be brought back to a future meeting of the committee.

**Motion Carried**

- 2256 **ANY OTHER ITEMS, WHICH THE CHAIRMAN DECIDES ARE URGENT, BY REASONS OF SPECIAL CIRCUMSTANCES, WHICH MUST BE**

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**SPECIFIED** - There were no urgent items for consideration at the meeting.