

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

7 September 2022

PRESENT: - Councillor N Sherwood (Chairman)

Councillors C Ross (Vice Chairman), J Davison, M Grant, R Hannigan, D Southern, C O'Sullivan and C Sherwood

Councillors R Ogg, N Poole and R Waltham attended the meeting in accordance with Procedure Rule 1.37(b).

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

2261 SUBSTITUTIONS

Councillor C Sherwood substituted for Councillor D Wells and Councillor C O'Sullivan substituted for Councillor S Bainbridge.

2262 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 C Ross
Application: PA/2022/628
Nature of Interest: Knew the applicant

The following member declared a personal interest –

Councillor R Ogg
Application: PA/2022/1208
Nature of Interest: Frequented the Alkborough Club

The following members declared that they had been lobbied –

Councillor J Davison
Application: PA/2021/1180

Councillor R Hannigan
Application: PA/2022/628

Councillor N Sherwood
Application: PA/2022/615

2263 APPLICATIONS DEFERRED FROM A PREVIOUS MEETINGS FOR A SITE VISIT.

In accordance with decisions taken at the previous meeting, members had

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undertaken site visits on the morning of the meeting. The Development Management Lead submitted reports and updated them orally.

2264 PA/2022/1180 OUTLINE PLANNING PERMISSION TO ERECT FIVE DWELLINGS WITH ALL MATTERS RESERVED FOR SUBSEQUENT CONSIDERATION AND DEMOLITION OF EXISTING DWELLING AT 18 MANOR ROAD, BOTTESFORD, DN16 3PA

Councillor J Davison stated that the site visit had been very useful. The house on the site was large and in good condition. He was concerned that the by knocking down the dwelling and replacing it with five dwellings constituted an over development of the site. The site was on a very busy road, opposite two schools. As a local ward councillor, he received numerous correspondence from concerned residents over the parking issues along the road.

Councillor C Sherwood agreed with the comments expressed by Councillor J Davison. The application, were in granted, would result in the site being over developed.

Councillor M Grant believed that the application site was of such a size that building five dwellings would not cause an issue. However, the number of trees on and around the site was a concern. Whilst there were two schools close by, any parking and/or traffic issues would be limited to two short time frames during the day.

Councillor D Southern believed that the application site would provide enough parking for all the residents.

It was then moved by Councillor J Davison and seconded by Councillor C Sherwood

That the application be refused for the following reasons –

By reason of its siting, avoiding the locations of trees protected by tree preservation order, the proposed development would result in a form of development that would be out of character with the established pattern and layout of development in the area. The proposal is therefore contrary to policies DS1, H5 and H8 of the North Lincolnshire Local Plan, and policies CS5 and CS7 of the North Lincolnshire Core Strategy.

Motion Carried

2265 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 AT NEWBIGG, WESTWOODSIDE, DN9 2AT

Councillor J Davison acknowledged that the site visit had been informative. After vising the site and reading the officers report, he had no objections to the application.

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

2266 **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 AT 9 PARK DRIVE, WESTWOODSIDE, HAXEY, DN9 2AW**

Councillor J Davison was concerned that after visiting the site, it was apparent that the application was to extend onto an already small plot of land. The extension would result in the property having no garden, with the height of the building being out of character with similar properties on the road.

Councillor D Southern believed that the application would not cause any issues for neighbouring properties.

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

That the planning application be refused for the following reasons –

The proposal would result in an adverse impact on the amenity of the adjacent dwellings in that it has the potential to take away the privacy of the adjacent dwellings contrary to policies DS1 and DS5, as well as the SPG1 Design Guidance for House Extensions, of the North Lincolnshire Local Plan.

Motion Carried

2267 **MAJOR PLANNING APPLICATIONS**

The 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.

2267a **PA/2021/1390 PLANNING PERMISSION FOR THE CHANGE OF USE FROM AGRICULTURAL LAND TO A PETTING AND THERAPY FARM AT PETSVILLE FARM C.I.C., FERRY ROAD, BARROW UPON HUMBER, DN19 7DL**

Resolved – That it be noted that planning application PA/2021/1390 had been withdrawn by the applicant.

2267b **PA/2021/1954 PLANNING PERMISSION TO EXTEND EXISTING POND AND SITE A SHOWER/WC CABIN AT LANGHOLME LAKE, LANGHOLME LANE, WESTWOODSIDE, HAXEY, DN9 2EU**

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

(Councillor C Ross, having declared a personal and prejudicial interest, left the meeting room for consideration of the following item).

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2268 **PA/2022/628 HYBRID APPLICATION COMPRISING FULL PLANNING PERMISSION TO ERECT 32 DWELLINGS AND OUTLINE PLANNING PERMISSION FOR 85 DWELLINGS WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR SUBSEQUENT CONSIDERATION AT LAND OFF STATION ROAD, ULCEBY**

Prior to consideration of the following item, the applicant's agent addressed the committee. She informed the members that outline permission for part of the site had already been granted, with permission for 90 dwellings approved. However, the applicant had found a more efficient use of the land which meant that an additional 27 dwellings were proposed for the site. Highway and Drainage assessments had been undertaken at the site. A bio-diversity assessment had identified a net gain which was a real benefit from the development. The application would see the number of affordable houses increased on the site. There had also been no objection from the Parish Council.

Councillor R Hannigan informed the committee that local people were opposed to this application. However, the land owner had proactively engaged with many local stakeholders which was of great credit to them. The application would, in his opinion, improve the conditions within the village which should be embraced. With some slight modifications to the conditions suggested by the Highways Authority, he supported the application.

Councillor M Grant hoped that the affordable housing would be significant and accessible to all.

Councillor C O'Sullivan stressed the need for council officers to ensure that the Section 106 Agreement would include provisions that benefited the children and young people in the village.

Resolved – That subject to the Section 106 Agreement, full and outline permission be granted in accordance with the officers' recommendations.

(Councillor C Ross returned to the meeting at this point).

2269 **PA/2022/869 PLANNING PERMISSION TO ERECT 40 AFFORDABLE HOMES, COMPRISING FLATS AND HOUSES, CREATE A NEW VEHICULAR ACCESS POINT AND ROAD AT FORMER SITE OF ASHBY MARKET, ASHBY HIGH STREET, SCUNTHORPE**

Prior to consideration of the item, the applicant's agent addressed the committee. He stated that the planning officers report provided the committee with a balanced analysis of the issues associated with the application. Were members minded to grant the application, the proposed conditions should satisfy any issues associated to the application. The application would improve the visual appearance of the area. The development was in a sustainable location and near to local facilities. It would increase footfall in the local area and provide much needed affordable housing. The site had been vacant for a considerable period. The application would only enhance the local area and not detract from the retail

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outlets close by. There were also no objections from statutory consultees.

Councillor R Hannigan stated that the application was much needed and would enhance the area.

Councillor M Grant stated that the ward councillors welcomed the application.

Resolved – That subject to the Section 106 Agreement, planning permission be granted in accordance with the recommendations contained within the officer's report, except for the removal of condition 3.

Motion Carried

2270 **PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE.**

The Development Management Lead 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 applications. The Head of Service updated reports orally where appropriate. Other officers attending gave advice and answered members' questions as requested.

2271 **PA/2022/615 PLANNING PERMISSION TO ERECT A DETACHED BUNGALOW AT LAND TO THE REAR OF 17 CUTHBERT AVENUE, BARNETBY LE WOLD, DN38 6JF**

Prior to consideration of the item, Councillor R Waltham MBE attended the meeting and addressed members. He stated that there was already development along the lane, resulting in several dwellings being developed. The application was for a two-bedroom bungalow, which would allow the applicant to continue to live independently at home. There were no issues at the site with drainage and any conditions attached to the application concerning access would be reasonable. The Parish Council had objected to the application as they deemed the application to be in the open countryside. However, the application must be judged on its own merits, with consideration being given to why the application has been submitted.

Councillor C Sherwood agreed with the comments made by Councillor Waltham. The application was in the open countryside, but only just. There were already three other properties along the lane. The inclusion of a turning circle in the conditions would see him voting to grant the application.

Councillor M Grant believed that the site was not an exception to policy therefore he would be voting for the application.

Councillor C O'Sullivan requested conditions be attached to the application to protect hedges.

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

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That the planning application be granted for the following reasons –

1.

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

Reason

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:

- Site Location Plan (001 Rev 02)
- Proposed Floor Plans, Roof Plan and Elevations (002 Rev 03)
- Proposed Garage Details (004 Rev 03).

Reason

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

3.

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.

4.

No development shall take place until a detailed flood risk statement and drainage strategy has been submitted to and approved in writing by the local planning authority. This should outline all sources of flood risk (including surface water, ground water and ordinary watercourse) and proposals to mitigate this, and include preliminary drainage layout plans. Sustainable Urban Drainage Systems (SuDS) should be considered. Full ground investigations must be carried out along with a feasibility assessment for infiltration. Infiltration tests should comprise full-scale tests to demonstrate long-term effectiveness and suitability. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 159 to 169 of the National Planning Policy Framework.

5.

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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 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.

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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 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.

6.

No development above ground level shall take place until proposals for soft landscaping, including planting, have been submitted to and approved in writing by the local planning authority. All the approved landscaping shall be carried out within twelve months of development being commenced. Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to

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any variation.

Reason

In the interests of the amenity of the locality in accordance with policies CS5 of the Core Strategy, and LC12 and DS1 of the North Lincolnshire Local Plan.

Informative 1

Our records indicate that the proposed development site is bounded by, or has running through it, a watercourse (surface water pipe/culvert or ditch). Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. An easement adjacent to the watercourse may need to be provided for future maintenance. Any other drainage feature found during excavations must be immediately reported to the LLFA Drainage Team via email to llfadrainageteam@northlincs.gov.uk prior to any further construction works being carried out. Please refer to North Lincolnshire Council's 'Guide to Watercourses and Riparian Ownership' detailing riparian rights and responsibilities. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 2

Our records indicate that the proposed development site is bounded by an ordinary/riparian watercourse/highway drain along the northern boundary. The proposals show a new access to be provided over and/or connection into the watercourse. This must be consented by North Lincolnshire Council's LLFA Drainage Team, in their capacity as Lead Local Flood Authority, and/or the local Internal Drainage Board through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage Team via email to llfadrainageteam@northlincs.gov.uk for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 3

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

Informative 4

The access to the site features a Public Right of Way. Section 34(1) of the Road Traffic Act 1988 provides that anyone driving a mechanically propelled vehicle off-road or on a road that is a footpath, bridleway or restricted byway without lawful authority is guilty of an offence. The applicant is therefore advised that drivers of mechanically propelled vehicles require lawful authority to access the site through the Public Right of Way.

Motion Carried

2272 **PA/2022/806 OUTLINE PLANNING PERMISSION FOR A DWELLING WITH ALL MATTERS RESERVED EXCEPT ACCESS AT LAND**

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ADJACENT TO 1 DERRYTHORPE ROAD, ALTHORPE, DN17 3JA

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

- 2273 **PA/2022/915 PLANNING PERMISSION TO EXTEND THE EXISTING SINGLE STOREY TO THE REAR OF THE PROPERTY, EXTENSION WORKS TO INCLUDE A SINGLE-STOREY PORTION FOR RESIDENTIAL USE AND A STOREY-AND-A-HALF SECTION FOR COMMERCIAL USE AT 50-52, HIGH STREET, EPWORTH, DN9 1EP**

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

- 2274 **PA/2022/1299 LISTED BUILDING CONSENT TO EXTEND THE EXISTING SINGLE-STOREY TO THE REAR OF THE PROPERTY, EXTENSION WORKS TO INCLUDE A SINGLE STOREY PORTION FOR RESIDENTIAL USE AND A STOREY-AND-A-HALF SECTION FOR COMMERCIAL USE AT 50-52, HIGH STREET, EPWORTH, DN9 1EP**

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

- 2275 **PA/2022/1005 PLANNING PERMISSION FOR THE CHANGE OF USE OF 415 SQUARE METRES (APPROXIMATELY) OF LAND TO RESIDENTIAL USE AND TO ERECT ON PART THEREOF A RESIDENTIAL/DOMESTIC GARAGE EXTENSION PLUS ANY ANCILLARY WORKS NECESSARY AT PLOT ADJACENT TO GREY GREEN FARM, WOODHOUSE ROAD, WOODHOUSE, BELTON**

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

- 2276 **PA/2022/1068 PLANNING PERMISSION FOR CHANGE OF USE OF AN OUTBUILDING WHICH HOUSES A POOL TO ALLOW THE OPERATION OF A PRIVATE SWIMMING LESSON BUSINESS AT 39A KNIGHTSBRIDGE ROAD, MESSINGHAM, DN17 3RA**

Prior to consideration of the item, the applicant addressed the committee. She informed members that despite the change of use, the application was for an outbuilding at their family home. They therefore didn't want to cause a nuisance or upset any neighbours as they all wanted the same quality of life. The application was not to just to have a car park. It was to provide privacy too. The application would allow 16 car park spaces on site. A roundabout would also be engineered to ease vehicle movements on site. It would be in the swimming contract that patrons must not park on the road, otherwise their lessons would be cancelled. The swimming business would provide many benefits for the community as well as children with unique needs. By operating a swimming business using the pool would allow the applicant to cover the costs of using the facility.

Councillor N Poole attended the meeting and spoke as the local ward member. Local residents were concerned about how the number of vehicle movements would be enforced and that all patrons be required to park on site, and not on the road. Therefore, it was important these concerns were

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addressed in any conditions attached to the application, were it granted.

Councillor J Davison shared the concerns of the ward member and local residents with regards to parking. He suggested that conditions be attached to the application to manage the opening hours and vehicle movements.

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

3.

The parking spaces and turning areas serving the swimming pool shall be carried out in accordance with the parking plan (drawing number PA/2022/1068/1). The vehicle parking and turning areas shall be retained for the lifetime of the development.

Reason

To ensure the provision/retention of adequate parking commensurate with the nature of the proposed development and to comply with policy T19 of the North Lincolnshire Local Plan.

4.

No more than 10 people shall be permitted within the swimming pool building at any one time, with a maximum of 8 in the pool.

Reason

In the interests of health and safety.

Motion Carried

2277 PA/2022/1208 PLANNING PERMISSION TO ERECT A TWO-STOREY REAR EXTENSION AND MAKE ALTERATIONS TO PROVIDE ADDITIONAL ACCOMMODATION AT SOUTHDALE, CROSS LANE, ALKBOROUGH, DN15 9JL

Prior to consideration of the application, an objector addressed the members. He informed the committee that he owned the property adjacent to the application site. The building contained architecture that was of historical importance. Therefore, the building should be preserved. Allowing the application would destroy the visual image of the area. The proposed extension was very large, in essence adding a new property to the rear. Most properties in the immediate vicinity were single storey. The extension would be completely out of character with the area. The proposed materials to be used for the extension were not in keeping with the area. Were this application to be granted it would set a precedent for all historic buildings in Alkborough. A structural survey would be required to ensure that the extension was safe to build.

The applicant spoke in support of his application. He confirmed that he had lived in the village for six years. His wife ran the village club. Unfortunately, they could not live in the current property as it was, hence an application for

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an extension. The extension was an addition to the family home. The extension would not be visible from the road.

Councillor Ogg, local ward member addressed the committee. He stated that several other properties in the village had built extensions that were in keeping with the local area. He suggested that members defer consideration of the application to allow them to visit the site.

Councillor J Davison said that on paper, the design of the extension looked impressive. However, as the development site was in a conservation area, members may benefit from visiting the site prior to determining the application.

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

That consideration of the application be deferred to allow members to visit the site.

Motion Carried

2278 **ANY OTHER ITEMS, WHICH THE CHAIRMAN DECIDES ARE URGENT, BY REASONS OF SPECIAL CIRCUMSTANCES, WHICH MUST BE SPECIFIED.**

There was no urgent business for consideration at the meeting.