

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

8 February 2023

PRESENT: - N Sherwood (Chairman)

N Sherwood (Chairman), C Ross (Vice Chairman), S Bainbridge, J Davison, M Grant, D Southern, D Wells and J Longcake

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

2351 SUBSTITUTIONS

Councillor Longcake for Councillor Hannigan.

2352 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 he had been lobbied:

Councillor Wells – Application PA/2022/1451

2353 TO TAKE THE MINUTES OF THE MEETINGS HELD ON 11 JANUARY 2023 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN.

Resolved – That the minutes of the meeting held on 11 January, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the chairman.

2354 APPLICATIONS DEFERRED FROM PREVIOUS MEETINGS FOR A SITE VISIT.

2355 PA/2022/1451 PLANNING PERMISSION FOR PARTIAL CHANGE OF USE OF DWELLING FROM RESIDENTIAL TO CHILDMINDING AT KEEDALE, WESTOBY LANE, BARROW UPON HUMBER. DN19 7DJ (SITE VISIT TIME 11.15AM).

The Head of Planning and Development provided an update to the committee, informing them that due to new additional information coming to light during the site visit with regards to the parking, that the application be deferred to consider the information in more depth.

It was agreed by the committee that they proceed with the application and the information before them.

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An objector who addressed the committee previously reiterated her concerns, and highlighted the business was in an inappropriate location within a residential setting. It was not suitable for a business due to noise from the children and activities during the day. There was safety issues with the parking, and walking the children down to the nearby field proposed for additional parking as there was no footpath.

The applicant stated the business had been running for a number of years with no proven noise concerns, and there would be short scheduled time periods when the children would be playing outside. She indicated they had secured some land for parking as respect to the neighbours, and had exhausted all avenues for all involved. They had strict operation hours and in term-time only.

Cllr J Davison highlighted that the business had been successfully running with six children and no complaints, and was a much needed provision within the area. He was pleased to see additional parking provisions had been sought, and the local support for the proposal was overwhelming. Following the site visit he felt the application should be approved.

Cllr Grant was of the same opinion as the previous speaker following the site visit, and was satisfied with the application.

It was moved by Cllr J Davison and seconded by Cllr Ross –

That planning permission be approved with the following conditions –

1.

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

- Site Location Plan Ref. TQRQM22221121543989

- Ground Floor Plan DRWG/PA/2022/1451/01

- Block Plan Ref. TQRQM22221105940283.

Reason

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

2.

Hours of opening shall be restricted to:

- 8am to 4pm Monday to Friday (term time only).

The childminding facility shall remain closed on Saturdays, Sundays and public/bank holidays, and during school holidays.

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3.

In total, no more than 10 children shall be cared for at any one time in connection with the hereby approved child minding business at Keedale, Westoby Lane, Barrow upon Humber, DN19 7DJ, unless further written permission is obtained from the local planning authority.

Reason

For the avoidance of doubt and to protect the residential amenity of surrounding residents in accordance with policies DS1 and DS4 of the North Lincolnshire Local Plan.

Informative

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.

Motion Carried.

2356 MAJOR PLANNING APPLICATIONS.

2356a PA/2022/956 PLANNING PERMISSION TO CONSTRUCT AN AGRICULTURAL IRRIGATION RESERVOIR AT LAND NORTH OF RISBY ROAD, APPLEBY.

The Application was withdrawn.

2356b PA/2022/1064 OUTLINE PLANNING PERMISSION FOR A RESIDENTIAL DEVELOPMENT OF 9 DWELLINGS WITH ALL MATTERS RESERVED FOR SUBSEQUENT CONSIDERATION AT CAR SALES AND STORAGE LAND, ENGINE STREET, BRIGG, DN20 8LT.

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

2357 PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE.

2358 PA/2022/1123 PLANNING PERMISSION TO ERECT THREE FOUR-BEDROOMED DETACHED DWELLINGS WITH ASSOCIATED PARKING AND AMENITY SPACE AT ORCHID HOUSE, HOWE LANE, GOXHILL, DN19 7JD.

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

2359 PA/2022/1575 OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED TO ERECT A DWELLING IN CONNECTION WITH AN AGRICULTURAL BUSINESS AT NINEVAH FARM, IDLE BANK,

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EPWORTH, DN9 1LG.

The agent spoke on the application indicating the need for the dwelling for the agricultural business. He stated there was an essential need to have a rural worker to be near the work, and also for security purposes. He highlighted there had been no objections from statutory consultees, the flood zone risk was acceptable, and was part of a sustainable community, playing a significant part of the agricultural community.

Cllr J Davison referred to rural crimes going through the roof in remote locations. Therefore, felt the proposal was acceptable with a need to support the agricultural community, and the location was very remote to sell on.

It was moved by Cllr J Davison and seconded by Cllr Ross –

That planning permission be approved with the following conditions –

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

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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 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 development hereby permitted shall be carried out in accordance with the following approved plans:

- Location Plan DWG No. 595.01 Rev A
- Site Plan Reference TQRQM22159135925150.

Reason

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

6.

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.

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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.

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

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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.

7.

The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture, or a widow or widower of such a person, and to any resident dependants.

Reason

To protect residential amenity.

8.

The development shall be carried out in accordance with the submitted flood risk assessment (August 2022 by Richard Alderson Consulting). In particular, finished floor levels shall be set no lower than 4.1 metres above Ordnance Datum (AOD).

Reason

To reduce the risk of flooding to the proposed development and future occupants in accordance with the North and North East Lincolnshire Strategic Flood Risk Assessment June 2022.

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9.

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.

Informative 1

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 2

Meres & Scawcetts East Drain, an open watercourse maintained by Doncaster East Internal Drainage Board, exists to the north of the site, to which byelaws and the Land Drainage Act 1991 apply.

The Board's consent is required for any works that increase the flow or volume of water to any watercourse or culvert within the Board's district (other than directly to a main river for which the consent of the Environment Agency will be required).

The Board's written consent will be required prior to construction of any discharge point from any biotechnical unit/package treatment plant/septic tank into any watercourse or culvert within the Board's district (other than directly to a main river for which the consent of the Environment Agency will be required).

The Board's consent is required irrespective of any permission gained under the Town and Country Planning Act 1990. The Board's consent will only be granted where proposals are not detrimental to the flow or stability of the watercourse/culvert or the Board's machinery access to the watercourse/culvert which is required for annual maintenance, periodic improvement and emergency works.

Informative 3

For minor developments, the LLFA Drainage Team recommends you consider upsizing the pipe network increasing storage around your development to cater for more intense storm conditions. Although this is not a requirement in terms of surface water flood risk compliance it would be good practice on your behalf to ensure an increased level of resilience for the

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development and its future occupiers and we would ask that you fully explore all Source Control SuDS techniques that can store and allow water reuse.

Motion Carried.

- 2360 **PA/2022/1621 PLANNING PERMISSION TO CONVERT EXISTING BARN INTO A DWELLING TO INCLUDE THE REMOVAL OF THE CORRUGATED IRON ROOF OF THE LARGEST BARN TO CREATE AN OPEN COURTYARD SPACE AND CONSTRUCT A BRICK GARAGE WITHIN THE FOOTPRINT OF THE LARGE BARN AT BARN NORTH OF MILL FARM, ACCESS ROAD TO MILL FARM, APPLEBY, DN15 0BZ.**

The agent for the application outlined the proposal to convert the modern barn, and indicated it was just outside the parameters for not requiring permission. He indicated the proposal was to reduce the barn in size, and was the last piece of the puzzle on the site.

Cllr Ross stated that she knew the site and anything would be an improvement so welcomed the proposals.

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

- 2361 **PA/2022/1653 PLANNING PERMISSION TO ERECT A REPLACEMENT DWELLING, CONVERT A BARN TO A DWELLING AND ERECT A NEW CART SHED (INCLUDING DEMOLITION OF EXISTING FARMHOUSE, EXISTING BARN (IN PART) AND OUTBUILDING) AT POND FARM, STATION ROAD, GRAIZELOUND, DN9 2NQ.**

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

- 2362 **PA/2022/1684 PLANNING APPLICATION TO REMOVE CONDITION 2 OF 7/1979/1026 TO ALLOW FOR OCCUPATION OF THE DWELLING OTHER THAN BY A PERSON SOLELY OR MAINLY EMPLOYED, OR LAST EMPLOYED, IN AGRICULTURE AT BRIDGE FARM, BUTTERWICK ROAD, MESSINGHAM, DN17 3PA.**

The applicant addressed the committee and urged them to allow them to remove an agricultural condition from dwelling. She indicated that the officer's had recommended approval as it had not been a farm for years, and they had also tried to sell the property and had failed to do so with the condition attached to it.

Cllr J Davison having read the report felt satisfied and agreed the condition should be removed.

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

- 2363 **PA/2022/2019 OUTLINE PLANNING PERMISSION TO ERECT A BUNGALOW WITH APPEARANCE, LANDSCAPING, LAYOUT AND**

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SCALE RESERVED FOR SUBSEQUENT CONSIDERATION AT 14 LEABURN ROAD, MESSINGHAM, DN17 3SR.

An objector addressed the committee with a number of concerns against the application. He stated that the access was so close to the junction it was a highway safety issue. The parking provision to the front of the property was not adequate. The actual site maps indicate the application would go over the site boundaries. It was not in keeping with the neighbouring properties, and the plot was so much smaller than the others in the area.

Councillor J Davison felt that the committee needed to go visit the site as it looked a very small plot from the plans.

It was moved by Cllr J Davison and seconded by Cllr Grant –

That a site visit be held before a decision is taken, and be brought back to a future meeting.

Motion Carried.

2364 **PA/2022/2064 PLANNING PERMISSION TO ERECT A REAR GROUND-FLOOR EXTENSION AT POPLAR, FERRY ROAD, GRAIZELOUND, DN9 2LY.**

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

2365 **ANY OTHER ITEMS, WHICH THE CHAIRMAN DECIDES ARE URGENT, BY REASONS OF SPECIAL CIRCUMSTANCES, WHICH MUST BE SPECIFIED.**