

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

7 June 2023

PRESENT: - Councillor N Sherwood (Chairman)

Councillors Bell, J Davison, Grant, Patterson, Ross, C Sherwood and Southern.

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

2382 SUBSTITUTIONS

Councillor C Sherwood for Cllr Wells.

2383 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 interest:

Councillor N Sherwood – Application PA/2022/2019 – Knows of the applicant.

The following members declared they had been lobbied:

Councillor Patterson – Application PA/2022/2024

Councilor Poole – Applications PA/2022/2136 and PA/2022/554

2384 TO TAKE THE MINUTES OF THE MEETINGS HELD ON 8 MARCH 2023 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN.

Resolved – That the minutes of the meeting held on 8 March, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the chairman.

2385 APPLICATIONS DEFERRED FROM PREVIOUS MEETINGS FOR A SITE VISIT.

2386 PA/2022/535 OUTLINE PLANNING PERMISSION TO ERECT FOUR DWELLINGS WITH SCALE, LAYOUT, APPEARANCE AND LANDSCAPING RESERVED FOR SUBSEQUENT CONSIDERATION AT LAND TO THE REAR OF THE JOLLY MILLER, BRIGG ROAD, WRAWBY, DN20 8RH

Cllr J Davison stated that the site visit had been very inormative, and confiremd his concerns around site access, and the lack of it with little room to turn which would be increadibly difficult for the bin lorries. He said it was backyard development in the open countryside, and therefore not an appropriate scheme which was contrary to numerous policies.

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

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That planning permission be refused for the following reason –

The proposed development would result in the urbanisation of an existing area of countryside and lead to encroachment into the open countryside. While it is noted that matters of scale, layout, appearance and landscaping are reserved for future consideration, it is not considered that an appropriate scheme could come forward at the reserved matters stage that would be acceptable in these respects without having a harmful impact on the character and appearance of the area. The proposals are therefore contrary to policies DS1 of the North Lincolnshire Local Plan and CS5 of the North Lincolnshire Core Strategy, and paragraph 130 of the National Planning Policy Framework

Motion Carried.

2387 **PA/2022/1498 PLANNING PERMISSION TO ERECT A DETACHED DWELLING, WITH GARAGE AND NEW VEHICULAR ACCESS AT LAND ADJACENT TO SWINSTER HOUSE, SWINSTER LANE, EAST HALTON, DN40 3NR**

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

2388 **PA/2022/1861 PLANNING PERMISSION TO ERECT PORTAL-FRAMED COMMERCIAL UNITS FOR GENERAL LIGHT INDUSTRIAL, STORAGE AND DISTRIBUTION AT POPLAR FARM, ULCEBY ROAD, SOUTH KILLINGHOLME, DN40 3JB**

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

2389 **PA/2022/2152 PLANNING PERMISSION FOR THE RETENTION OF 1800MM HIGH TIMBER WANNEY EDGE FENCING, FENCE POSTS AND GATE AT SHEFFIELD ARMS, HIGH STREET, BURTON UPON STATHER, DN15 9BP**

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

2390 **MAJOR PLANNING APPLICATIONS.**

2390a **PA/2022/2136 APPLICATION FOR APPROVAL OF RESERVED MATTERS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) PURSUANT TO OUTLINE PLANNING PERMISSION PA/2020/554 FOR 92 DWELLINGS AT LAND BETWEEN 57-71 BRIGG ROAD, MESSINGHAM, DN17 3QX**

An objector addressed the committee with a number of concerns. These included the fact that the surrounding residents felt the site had been formed contrary to what was in the officer's report. Layout plans were wrong as the hedges included did not exist. Current condition of the dyke that was over

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grown and neglected, and he felt that application should be deferred until the applicant had cleared the dyke.

The agent responded and updated the committee on the application and the fact that it had been reduced in size, with no statutory technical objections, and the principals had been approved by the Planning Inspector. He also stated that the client did not yet own the site, and when they did the issues, surrounding the dykes would be resolved.

Cllr Poole spoke as the local Ward Member who also had concerns surrounding the dykes, and the watercourse. He stated that the site did have issues water on the site that could remain for up to 6 months of the year. He queried the drainage with the officer present.

Cllr Ross having looked at the application, and received confirmation at the meeting that the dyke clearance would take place by the landowner and maintenance would be their responsibility, and then she was happy to move approval.

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

2391 **PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE.**

2392 **PA/2022/1374 PLANNING PERMISSION TO ERECT TWO DETACHED PROPERTIES WITH ASSOCIATED PRIVATE DRIVEWAY ON LAND AT REAR OF 14 GREENHILL ROAD, HAXEY, DN9 2JE**

The applicant addressed the committee and outlined the reasons for the application. In doing so she highlighted it was 2 building plots, grade 2 listed that had been empty for over 5 years without any maintenance. The had started to subside and had structural issues, and therefore required renovation and restoration. She indicated there was ample shared access and all parties had been consulted. She also highlighted that the design had been altered so it was in keeping with the area, reduced the height so there was less impact on the landscape with no overlooking. There was no further concerns from neighbour's just overwhelming support.

Cllr Kennedy spoke as the local Ward Member and raised a number of concerns in line with those of the Haxey parish Council. She felt it was backland development with infill properties. It would cause overshadowing, increased noise and nuisance. Her concerns were also that the surrounding properties were bungalows and therefore the proposals should have had Velux windows. Cllr Kennedy stated that the building was not just being renovated but instead was being turned into a luxury 6 bedroom house, and they did not need to spend that kind of money to restore it, and a third of it would be a car park leading to pedestrian safety.

Cllr Ross having listened to all sides felt that the committee needed to go look

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at the site and proposals before they could make a decision.

It was moved by Cllr Ross and seconded by Cllr C Sherwood –

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

Motion Carried.

2393 **PA/2022/1819 PLANNING PERMISSION TO VARY CONDITION 2 OF PA/2020/1117 NAMELY TO ALTER THE HEIGHT OF THE PROPOSED FENCING AT 7 BELTON ROAD, EPWORTH, DN9 1JL**

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

2394 **PA/2022/2019 OUTLINE PLANNING PERMISSION TO ERECT A BUNGALOW WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR SUBSEQUENT CONSIDERATION AT 14 LEABURN ROAD, MESSINGHAM, DN17 3SR**

2395 **PA/2022/2021 PLANNING PERMISSION TO RETAIN A MANÈGE AND FOR USE OF SITE AS AN EQUESTRIAN CENTRE PROVIDING RIDING LESSONS AT AVALON MILL EQUESTRIAN CENTRE, GREEN LANE, BELTON, DONCASTER, DN9 1QD**

The applicant addressed the committee and outlined the background behind the application and her business, and the requirements for the application, along with the charity work undertaken at the premises.

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

2396 **PA/2022/2024 PLANNING PERMISSION TO ERECT A PRE-FABRICATED SECTIONAL CONCRETE PANEL BUILDING FOR STORAGE (B8) USE AT LAND TO REAR OF 114 TOFTS ROAD, BARTON UPON HUMBER, DN18 5NG**

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

2397 **PA/2022/2117 PLANNING PERMISSION TO ERECT A TWO-STOREY DWELLING AT LAND ADJACENT TO 76 WESTGATE ROAD, BELTON, DN9 1PZ**

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

2398 **PA/2023/96 OUTLINE PLANNING PERMISSION TO ERECT A PAIR OF SEMI-DETACHED DWELLINGS IN CONNECTION WITH AGRICULTURE (ALL MATTERS RESERVED) AT GREENFIELD FARM, GODNOW ROAD, CROWLE, SCUNTHORPE, DN17 4BN**

The agent spoke at committee on behalf of the applicants, and in doing so

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highlighted the need for the application. He stated that the proposal was for two family members who working in the farming business to be situated on the farm land. He said there was a big requirement to have living presence on the farm for security reasons and for the safety of the animals, and risks would remain if this could not be approved. He stated it was a genuine rural enterprise with significant public support.

Cllr J Davison having read the report, and listened to the agent stated he had no objections to the application, but would like to see an agricultural tie added to the conditions if approved.

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

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

1.

Details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development 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.

2.

Application for approval of the reserved matters (access, appearance, landscaping, layout and scale) shall be made to the local planning authority not later than 3 years from the date of this permission.

Reason

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

3.

The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.

Reason

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

4.

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The occupation of the dwellings hereby permitted 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, and in the interests of residential amenity.

5.

All reserved matters pursuant to condition 1 above including “appearance” shall include details of all proposed walling, roofing and surfacing materials, and details of all proposed boundary treatments, including the materials proposed to be used.

Reason

In the interests of good design and visual amenity.

6.

All reserved matters applications pursuant to condition 1 above including “layout” shall include details of foul and surface water drainage and no dwelling shall be occupied until the drainage works as approved have been completed in accordance with the approved details.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

7.

All reserved matters applications pursuant to condition 1 above including “access” and “layout” shall include details of the location and layout of the vehicular accesses and the number, location and layout of vehicle parking and turning spaces within the site. No dwelling shall be occupied until the development has been completed in accordance with the details so approved and the vehicular access, parking and turning spaces as approved and completed shall be retained thereafter for the lifetime of the development.

Reason

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

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8.

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

Reason

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

9.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), nothing shall at any time be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

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

10.

All reserved matters applications pursuant to condition 1 above including "access" shall include details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway and an effective method of preventing surface water run-off from the highway onto the developed site. No dwelling hereby permitted shall be occupied until the approved methods of preventing surface water run-off have been completed and shall thereafter be retained in accordance with the approved details for the lifetime of the development.

Reason

In the interests of highway safety and 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 155, 157, 163 and 165 of the National Planning Policy Framework.

11.

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All reserved matters applications pursuant to condition 1 above shall be in accordance with the submitted flood risk assessment compiled by Richard Alderson Consulting. In particular, finished floor levels shall be set no lower than 4.1m above Ordnance Datum (AOD). All mitigation measures set out in the approved flood risk assessment shall be fully implemented prior to the dwellings hereby permitted being occupied. The mitigation measures shall be retained and maintained thereafter for the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants.

12.

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

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- 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 April 2021.

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

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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 for pre-commencement condition: To ensure the site is safe for future users and construction workers.

13.

All reserved matters applications pursuant to condition 1 above including "layout" shall include a biodiversity management plan which shall include:

- (a) details of bat roosting features to be installed;
- (b) details of nesting sites to be installed to support farmland bird species;
- (c) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (d) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (e) prescriptions for the planting and aftercare of native trees and shrubs of high biodiversity value;
- (f) details to confirm that the measures proposed will provide a measurable net gain in biodiversity value of least 1% in accordance with the Defra Small Sites Metric;
- (g) proposed timings for the above works in relation to the completion of the dwellings.

The approved biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter. Prior to the occupation of the approved dwellings, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the biodiversity management plan.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

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.

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Informative 2

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

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

Informative 3

For your information we are fully aware of foul sewer flooding issues in the Crowle catchment. For this reason, we advise that all surface water from the development cannot be connected into the foul sewer network. We would also suggest 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 development and its future occupiers.

Motion Carried.

2399 **PA/2023/118 PLANNING PERMISSION TO ERECT FENCING AT 8 WRESSLE ROAD, BROUGHTON, DN20 0DB**

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

2400 **PA/2023/145 PLANNING PERMISSION FOR THE CHANGE OF USE OF LAND TO ERECT THREE BUNGALOWS AND THREE CHALET BUNGALOWS AT LAND OFF FERRY ROAD EAST, BARROW UPON HUMBER**

An objector speaking at committee raised a number of concerns and ask the committee to take them into consideration when making a decision. They included the access route not being adequate, it was outside the village boundary line, the local plan had not been adhered to, utilities were minimal and it would lead to even more infrastructure issues in the area.

The agent responded and highlighted that bungalows were desperately needed in North Lincolnshire, and there was a demand in the village for them. He also stated there had been no statutory objections, and that it would round of the development with no adverse impact on the area.

Cllr Hannigan spoke as the local Ward Member stating the development had gone from infill to housing estate, it was not in the appropriate location, and contravened planning policies. He also had concerns about the drainage and

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sewerage system not being able to cope with the increased demand.

Cllr C Sherwood agreed with some of the objections made, but also felt the bungalows would help in the community, and the development had already been identified in a sustainable location.

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

2401 **ANY OTHER ITEMS, WHICH THE CHAIRMAN DECIDES ARE URGENT, BY REASONS OF SPECIAL CIRCUMSTANCES, WHICH MUST BE SPECIFIED.**