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NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

20 October 2021

PRESENT: - Councillor N Sherwood (Chairman)

Councillors C Ross (Vice Chairman), S Bainbridge, J Davison, M Grant, R Hannigan, D Southern and D Wells

Councillors J Briggs, E Marper, C O'Sullivan, N Poole, D Rose and K Vickers attended the meeting in accordance with Procedure Rule 1.37(b).

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

2141 **SUBSTITUTIONS** - There were no substitutions at the meeting.

2142 **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 a personal interest –

Councillor D Rose

Application: PA/2021/1097 (Minute: 2145xi)

Nature of Interest: Chair of CPRE Northern Lincolnshire and Yorkshire and Humberside

Councillor D Wells

Minute: 2146

Nature of Interest: North Lincolnshire Council Ferry Ward member

The following members declared that they had been lobbied –

Councillor D Rose

Application: PA/2021/582 (Minute: 2145v)

Councillor J Briggs

Application: PA/2021/824 (Minute: 2145viii)

Councillor D Southern

Application: PA/2021/1001 (Minute: 2145x)

Councillor D Wells

Minute: 2146

2143 **TO TAKE THE MINUTES OF THE MEETINGS HELD ON 8 AND 22 SEPTEMBER 2021 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN - Resolved** – That the minutes of the meetings held

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on 8 and 22 September 2021, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the Chairman.

2144 **MAJOR PLANNING APPLICATIONS** - The Group Manager – Development Management submitted a report containing details of a major application for determination by the committee, including summaries of policy context, representations arising from consultation and publicity and assessment of the applications.

2144i **PA/2021/619 PLANNING APPLICATION TO VARY CONDITION 2 OF PA/2017/389 TO RE-ORGANISE PLOTS 1, 89, 90 AND 91 AT LAND OFF STATION ROAD, KIRTON IN LINDSEY** - The applicant addressed the committee and spoke in support of her application. She informed members that four plots at the front of the site had been repositioned due to their proximity to water pipes. The application was appropriate for the site and urged members to support the planning officers recommendation.

Local Ward Member Councillor N Poole elaborated on his concerns that the application would cause additional impact on the flood related issues in the vicinity. It would have a detrimental impact on nearby streets and due to the height of the proposed properties would have an impact on neighbouring dwellings. Drainage issues at the site were also a concern.

Councillor J Davison too had concerns about the drainage at the site. However, in his opinion, the application should be granted.

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

2145 **PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** - The Group Manager – Development Management and Building Control submitted a report for determination by the committee including summaries of policy context, representations arising from consultation and publicity and assessment of the applications. The Head of Service updated the reports orally where appropriate. Other officers attending gave advice and answered members’ questions as requested.

2145i **PA/2019/1845 LISTED BUILDING CONSENT TO DEMOLISH EXISTING OUTBUILDINGS, STRIP OUT MILL TOWER AND CONVERT TO A NEW DWELLING AND ERECT THREE LINKED DWELLING HOUSES AT FORMER HEWSON'S MILL, HEWSONS LANE, BARTON UPON HUMBER** - An objector addressed the committee and objected to the application. She stated that the mill and outbuildings were listed buildings and of significant historical importance to the area. The application was simply to allow the developed to maximise its profits, not restore and enhance the mill. Were the committee minded to grant the application then condition 6 should be amended. The Planning Officer should have sought expert opinion from a conservation engineer prior to making his recommendation.

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The applicant's agent spoke in support of the application. He stated that the mill was unsafe and had not benefited from a roof for over 35 years. It was in a dangerous condition and may collapse were works not to commence imminently. He confirmed that there was no profit in the restoration of the mill for the developer. Barton Town Council supported the application. Due to the scale of the works required, no other developer was willing to restore the mill. However, the developers were local and wanted to see the building restored to its former glory.

Councillor Hannigan understood the points eloquently made by the objector. However, this application would preserve the heritage of the mill and restore the building making it fit for purpose.

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

- 2145ii **PA/2019/1846 PLANNING PERMISSION TO DEMOLISH EXISTING OUTBUILDINGS ATTACHED TO THE MILL; CONVERT MILL TO A DWELLING; ERECT A DWELLING TO THE MILL, THREE DWELLINGS WEST OF THE MILL AND DETACHED BLOCK OF FOUR DWELLINGS WITH ASSOCIATED PARKING, ACCESS AND GARDENS; AND RETAIN RAISED LAND LEVELS TO FORM GARDEN EXTENSIONS TO PLOTS 9, 10 AND 11 AT FORMER HEWSON'S MILL, HEWSON'S LANE, BARTON UPON HUMBER - Resolved** – That planning permission be granted in accordance with the conditions contained within the officer's report.

- 2145iii **PA/2021/223 OUTLINE PLANNING PERMISSION TO ERECT DWELLINGS, REVISE ACCESS TO HIGHWAY, AND DEMOLISH EXISTING DWELLING AND STRUCTURES, WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR SUBSEQUENT CONSIDERATION AT 91 BARROW ROAD, BARTON UPON HUMBER -** Local Ward Member Councillor K Vickers attended the meeting and spoke about the national importance of the site. The site was one of the first settlements in Barton. Were the development to proceed without proper records then the history of the site would be lost. He respectfully suggested that a condition be attached to the application that stated the development could not commence until an archaeological dig was satisfactorily completed. Members may benefit from a site visit to truly appreciate the site.

Councillor J Davison thanked the ward member for his attendance and presentation. He too had concerns about the archaeology at the site and suggested that a site visit may be appropriate.

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

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

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Motion Carried

2145iv **PA/2021/313 PLANNING PERMISSION FOR A CONDENSED PUBLIC HOUSE WITH TAKEAWAY, NEW COMMERCIAL UNIT (USE CLASS E), THREE ADDITIONAL RESIDENTIAL UNITS WITH RETENTION OF EXISTING LANDLORD ACCOMMODATION, AND ASSOCIATED WORKS AT THE BAY HORSE, SHORE ROAD, GARTHORPE** - An objector addressed the committee and stated that he did not object to the application in principle. However, there was concern about the density of housing and lack of parking at the site. Eight car parking spaces were required at the site yet there were only seven available, with no provision available for visitors etc. A similar application in 2014 was refused due to the findings of the flood risk assessment. However, the application was now recommended for approval. The proposed balconies on the dwellings would cause privacy issues for neighbouring properties and the development would reduce the amenities in the village.

The applicant's agent informed members that the site had been vacant for eight years. The site had been listed at auction on two separate occasions however it had failed to sell. Consequently, it was now in a poor state of repair. The application would see a complete refurbishment of the building. The pub alone was not a viable proposition on its own. The application would see the pub footprint reduced, to a size representative of the number of villagers. The developer had liaised with local residents who had expressed their excitement at the project. There were only benefits to the application, with the development significantly improving the street scene.

Local Ward Member Councillor Briggs informed the committee that he supported the development of the local public house. It would regenerate Garthorpe and improve the character of the village. However, he was concerned that the development would exacerbate traffic/parking issues in the village. There were only seven car parking spaces at the site which was, in his opinion, not sufficient. Committee members would benefit from a site visit.

Councillor J Davison agreed with the Local Ward Member that in principle the application was of benefit to Garthorpe. However, the parking issues were a concern.

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

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

Motion Carried

2145v **PA/2021/582 PLANNING PERMISSION TO ERECT TWO DETACHED DWELLINGS AND ASSOCIATED GARAGES (INCLUDING DEMOLITION OF EXISTING DWELLING) AT THE CROFT, 10 COMMONSIDE,**

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WESTWOODSIDE - Prior to consideration of the item, an objector attended and addressed the committee. She informed members that the site was a heritage asset. The application had the same frontage and was the same size as the previous application that was refused. The design and colour of the application does not blend in with the old properties in the village. The application was vast in size and had no prominent features. The dwellings would overlook neighbouring properties gardens and lead to a loss of privacy.

Local Ward Member Councillor Rose spoke on the application. He informed members that the site had previously been refused, which the applicant appealed. The appeal was dismissed. The current application was an improvement but was still not in keeping with neighbouring properties. They would be overbearing and have a detrimental impact on the historic landscape. The development would lead to a loss of privacy for neighbouring properties and be overlooking. The Planning Inspector dismissed the appeal as the site was a heritage asset.

Councillor J Davison was concerned that the application was for two large properties. It would, in his opinion, have a negative impact on the street scene. It was not in keeping and would lead to the loss of the buffer to the historic landscape.

Councillor Grant was of the opinion that the applicant did not have to use their own land as a buffer.

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

That planning permission be refused for the following reasons –

1.

The proposed development would constitute an overdevelopment of the application site and would result in a cramped form of development at odds with the character and appearance of the surrounding area. The proposals are therefore contrary to policies H5 and DS1 of the North Lincolnshire Local Plan, and policies CS5 and CS7 of the Core Strategy.

2.

Due to its location on a narrow rural road, the proposed vehicular access to this proposal fails to demonstrate that safe access and egress can be achieved. The proposal would therefore have an adverse impact on highway safety contrary to policies T2 and H5 of the North Lincolnshire Local Plan.

3.

The proposed development would adversely affect the historic landscape of the Isle of Axholme, a heritage asset of national significance. The size, scale and massing of the proposed dwellings would adversely affect the character, appearance and setting of the historic landscape of the Isle of Axholme, specifically the character and setting of the core historic landscape of the

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Ancient Open Strip Fields, as well as the historic settlement form that contribute to the character, setting and legibility of the historic landscape. It is therefore contrary to policy CS5 of the North Lincolnshire Core Strategy, and policies DS1 and LC14 of the North Lincolnshire Local Plan.

Motion Carried

2145vi **PA/2021/647 PLANNING PERMISSION TO EXTEND FARMYARD, CREATE ADDITIONAL ACCESS AND REGULARISE EXTENSION TO FARM BUILDING ERECTED UNDER PA/2013/1565 AT NORTHFIELD FARM, BELTON FIELDS LANE, WESTGATE, BELTON** - The applicant attended the meeting and spoke in support of his application. He informed members that the farm required additional hard standing to safely store farm equipment. The application would have very little effect on the area. It was merely replacing existing buildings. The current surface at the farm was impractical for use in winter. Were the application to be refused then it would have a detrimental effect on the farm, with the viability of the business brought in to question. Belton Parish Council supported the application.

Councillor J Davison understood the recommendation proposed by the planning officer. However, he was of the opinion that the application should be granted.

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

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

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:

LINF 008 Location Plan
LINF 009 Existing Site Plan
LINF 001 Site Plan
LINF 007 Proposed Site Plan
001 Proposed Barn Extension
Design, Access and Planning Statement
Heritage Statement.

Reason

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

3.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken to the satisfaction of the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

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

4.

No development shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

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 155, 157, 163 and 165 of the National Planning Policy Framework.

5.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraph 163 of the National Planning Policy Framework.

Informative 1

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

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highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 2

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

- 2145vii **PA/2021/702 PLANNING PERMISSION TO RUN A DOG GROOMING BUSINESS FROM A BRICK BUILDING WITHIN REAR GARDEN AT 87 FERRY ROAD WEST, SCUNTHORPE** - Local Ward Member Councillor E Harper attended the meeting to query condition 3 included within the planning officer's recommendation. It was not obvious in the report how the condition would be enforced.

Councillor J Davison stated that he had no problem with the application. However, like the Ward Member, he could not see the need for condition 3 to be attached to the permission.

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

That the application be granted in accordance with the recommendation contained within the report, subject to the removal of condition 3.

Motion Carried

- 2145viii **PA/2021/824 OUTLINE PLANNING PERMISSION FOR FIVE DWELLINGS WITH APPEARANCE, LANDSCAPING AND SCALE RESERVED FOR SUBSEQUENT CONSIDERATION AT LAND TO THE REAR OF THE WHITE HOUSE, HIGH STREET, GARTHORPE** - An objector attended the meeting and spoke against the application. The application would, if granted, set a precedent. It was outside the development boundary and was not necessary. There was a flood risk at the site with previous flooding in the vicinity.

A representative of the applicant addressed the committee. He provided some background to previous applications at the site. The applicant was, following communication with the planning officer, under the impression that the application would be recommended for approval. The application was a sustainable development and would assist in the regeneration of Garthorpe. The site was in essence a small infill plot and, were members unsure of any aspect of the development, they could hold a site visit.

Local Ward Member Councillor J Briggs stated that the application was outside the development boundary and therefore should not be granted.

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The planning officers report had taken into account all the pertinent points and the recommendation was appropriate.

Councillor R Hannigan believed that the site was not just an infill plot. It would have a detrimental effect on the street scene and should not be granted.

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

2145ix **PA/2021/855 OUTLINE PLANNING PERMISSION TO ERECT A DETACHED DWELLING WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR SUBSEQUENT CONSIDERATION AT ORCHARD HOUSE, 12 BARNETBY LANE, ELSHAM** - An objector addressed the committee and spoke against the application. As a resident of an adjacent property, she was concerned that her property would suffer from a loss of privacy as a result of the development. The application was outside of the development boundary. The Parish Councill had objected to the application. Her property was currently very private but this would change were the application to be granted. The development would have a detrimental impact on the appearance and light of her property. Were the development smaller and situated on a different part of the site then it would be acceptable.

Local Ward Member Councillor R Waltham MBE respectfully requested that members visit the site.

Councillor J Davison confirmed that the application was only for outline permission. However, it was situated outside the development boundary.

It was then moved by Councillor J Davison and seconded by Councillor D Wells –

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

Motion Carried

2145x **PA/2021/1001 PLANNING PERMISSION TO ERECT A TWO-STOREY REAR EXTENSION AND MAKE ALTERATIONS TO PROVIDE A SIX-BEDROOM HOUSE OF MULTIPLE OCCUPATION AT 35 DONNINGTON GARDENS, SCUNTHORPE** - An objector attended the meeting and spoke against the application. She respectfully requested that members vote against the planning officer's recommendation and refuse the application. The street was currently quiet and private. However, the application would have a detrimental impact on the vicinity. She disputed the planning officer's statement that the impact on neighbouring properties would be minimal. The development would affect neighbouring properties light and privacy. A house of multiple occupation would generate a lot of activity on a quiet road. The lack of parking close to the development was also a concern.

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The applicant's agent spoke in support of the application. She conformed that there were dwellings surrounding the development, but they would not be impacted were the application granted. The application consultation saw only five letters of objection received. The development had no windows to the side and rear, it could therefore not be overlooking or impact on neighbours' privacy or loss of light. The development would attract young professionals who wanted accommodation close to the town centre, hence why fewer car parking spaces were required.

The Chairman read out a letter supporting residents concern from Scunthorpe County Constituency Member of Parliament Holly Mumby-Croft.

Local Ward Member Councillor C O'Sullivan spoke against the application. Residents were greatly concerned that the application would affect their quality of life. It was, in her opinion, an over development of the site. A number of concerned residents had made contact to share their feelings on the application, citing a lack of sufficient parking, increase traffic and a loss of privacy. The site was not appropriate for a house of multiple occupation.

Councillor R Hannigan shared the concerns of the objector, Member of Parliament and Ward Member.

It was then moved by Councillor R Hannigan and seconded by Councillor C Ross –

1.

The proposed development, by virtue of its siting, size, and density relative to neighbouring properties, would result in a harmful cramped form of development out of character with the surrounding area. The proposed development is therefore contrary to policy CS5 of the North Lincolnshire Core Strategy and saved policies DS1, H5 and H7 of the North Lincolnshire Local Plan.

2.

The proposal would prejudice the neighbouring amenity of 37 Donnington Gardens by way of detrimental noise. As such, the development conflicts with policy DS1 of the North Lincolnshire Local Plan and policy CS5 of the North Lincolnshire Core Strategy.

3.

By reason of the proposed parking arrangement, and the consequent potential impact resulting in on-street parking on Donnington Gardens, the proposal would cause highway safety impacts on this residential street. The proposed development is therefore contrary to saved policy T19 of the North Lincolnshire Local Plan.

Motion Carried

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STOREY DWELLING WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR SUBSEQUENT CONSIDERATION AT POND FARM, TRENTSIDE ROAD, KELFIELD - The applicant's agent addressed the committee and spoke in support of the application. He informed the meeting that the development was to be built and occupied by the applicant's daughter and her family. The development would make the site more secure and allow the family to be together. The application had been scrutinised when it was submitted for reserved matters. The Parish Council had supported the application and there were no objections to the development. The Environment Agency had now removed their objection. A similar infill application adjacent to the development site had been granted a few months ago. An additional condition could be attached to the conditions that would ensure the development could not be sold unless for agricultural use.

Local Ward Member Councillor D Rose would support the granting of the application were an agricultural condition included within the conditions.

Councillor J Davison stated he too would support the application were an agricultural condition attached to the conditions.

It was then moved by Councillor J Davison and seconded by Councillor R Hannigan –

That planning permission be granted, subject to the inclusion of the following conditions –

1.
Approval of the details of the layout, scale and appearance of the building(s), 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, 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

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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 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 shall be carried out in accordance with the submitted flood risk assessment (dated 10 June 2021 and compiled by Howard J Wroot Chartered Surveyor) and the following mitigation measures it details:

- Finished floor levels of all habitable accommodation shall be set no lower than 6.53 metres above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

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

6.

The details submitted in pursuance of any future reserved matters application based on this outline planning permission shall be accompanied or preceded by the submission to the local planning authority of a statement of heritage significance that accurately describes the significance of all the heritage assets and their settings, the potential impact of the development, justification of the impact and how the proposals accord with the requirements of policy LC14 of the North Lincolnshire Local Plan and other relevant historic environment local plan policies. The statement shall be supported with photographs that demonstrate the impact on vistas into and out from the site, including the scale of the proposed dwelling in relation to the neighbouring properties.

Reason

To protect the historic landscape and nearby heritage asset in accordance with policies LC14 of the North Lincolnshire Local Plan and CS6 of the North Lincolnshire Core Strategy.

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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

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 DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

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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, a 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 that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

8.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

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In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraph 163 of the National Planning Policy Framework.

9.

No development shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

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 155, 157, 163 and 165 of the National Planning Policy Framework.

10.

Notwithstanding the provisions of Classes A, B, C, D, E and G of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order (2015), or any order re-enacting that order with or without modification, no extensions, buildings or enclosures shall be erected on the site or installed on the building other than those expressly authorised by this permission.

Reason

To protect the historic landscape in accordance with policies LC14 of the North Lincolnshire Local Plan and CS6 of the North Lincolnshire Core Strategy.

11.

No development shall take place until details of:

- (i) the location and layout of the vehicular access; and
- (ii) the number, location and layout of vehicle parking and turning spaces within the curtilage of the site;

have been submitted to and approved in writing by the local planning authority.

Reason

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

12.

No loose material shall be placed on any driveway or parking area within 10

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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.

Reason

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

13.

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 policies T2 and T19 of the North Lincolnshire Local Plan.

14.

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.

Motion Carried

2145xii **PA/2021/1121 PLANNING PERMISSION TO VARY CONDITION 2 OF APPROVED APPLICATION PA/2020/874 (AMENDED DRAWINGS TO REFLECT AMENDMENTS TO PROPOSED DWELLING) AT LAND SOUTH OF CHURCH STREET, ELSHAM** - An objector attended the meeting and spoke against the application. The development was, in his opinion, too large and not in keeping with the other properties on the street. It would overshadow number 2 and 4 Church Street and be approximately five times the size of number 4. The proposed obscure glass would still lead to a loss of privacy for neighbouring properties. Were the application granted, it would have a detrimental impact on the quality of life of residents on the street. The development was completely out of character with the local area. The development did not comply with policy DS1 and the application did not satisfactorily address the risk of flooding.

The applicant's agent spoke in support of the application. He informed the committee that the application had been amended with the French doors being removed from the plans. The house was required to accommodate the larger family. The application had previously been agreed as being an

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appropriate development for the site. The variation would only see the property extended to the rear.

Councillor J Davison agreed with the objector that the application was for a very large house. He was concerned that the development would overlook neighbouring properties and the scale of the application was not appropriate.

It was then moved by Councillor J Davison and seconded by Councillor R Hannigan –

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

Motion Carried

2145xiii **PA/2021/1199 PLANNING PERMISSION TO ERECT A TWO-STOREY SIDE EXTENSION, A SINGLE-STOREY REAR EXTENSION AND A FRONT PORCH, AND CARRY OUT INTERNAL ALTERATIONS TO THE BUILDING AT 10 ACCESS ROAD TO PYEWIPE FARM, REDBOURNE - Resolved** – That planning permission be granted in accordance with the recommendations contained within the report.

2145xiv **PA/2021/1244 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** - Councillor J Davison stated that the application would have an adverse impact on the amenities of neighbouring properties.

It was then moved by Councillor J Davison and seconded by Councillor R Hannigan –

That planning permission be refused for the following reasons -

1.

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

Motion Carried

2146 **DEFINITIVE MAP MODIFICATION (NORTH KILLINGHOLME FP84) 2020 ORDER - REFERRAL TO SECRETARY OF STATE** - The Director: Operations submitted a report to seek approval to forward a submission to the Secretary of State in relation to objections received in relation to this

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diversion order.

An application to divert a section of the existing public footpath North Killingholme 84, was made by the owners of Church Farm, North Killingholme.

The existing public footpath 84 crossed through land belonging to Church Farm. The proposed diversion and existing route was attached in the definitive map modification order at Appendix 1 of the report.

Two objections were received when the order was advertised.

One objection had since been withdrawn and changed to a representation. The remaining objection was made on behalf of the North Killingholme Parish Council. A copy of the objection and representation was attached at Appendix 2 of the report.

The parish council had queried why the path should be diverted to suit an individual. However, the Highways Act 1980 provided that a path could be diverted in the interests of an owner, not just in the interests of the public.

The parish council also objected on the basis that the existing route was part of the Nev Cole Way and was designed to give a focal point for the church.

The Nev Cole Way was not a formally recognised route which held any legal status and had no links with North Lincolnshire Council's public rights of way service. No objections to the diversion had been received by the Planning Committee. from any of the local user groups who form part of the consultation process. Likewise, there had been no objection received from the Diocese of Lincoln via the local church committee. No concern had been raised regarding the path being a focal point for the church. The proposed diversion would lead walkers to the church, as was currently the case.

There were provisions within the Order, which stated that certain works must be completed to ensure the path was safe and comfortable to use, before the Council would confirm the diversion.

The options for consideration by the committee were –

- (i) To refer the application to the Secretary of State for confirmation of the order as made.
- (ii) To refer to the Secretary of State but taking a neutral stance regarding confirmation.
- (iii) Not to refer the order to the Secretary of State.

Resolved – That the “Definitive Map Modification (North Killingholme FP84) (2020) Order” not be supported.

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2147 **ANY OTHER ITEMS, WHICH THE CHAIRMAN DECIDES ARE URGENT, BY REASONS OF SPECIAL CIRCUMSTANCES, WHICH MUST BE SPECIFIED** - There were no urgent items for consideration at the meeting.

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