

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

29 July 2020

PRESENT:- Councillor N Sherwood (Chair)

Councillors L Foster, Ogg, C Sherwood and Southern.

Councillor(s) Briggs, Clark, T Foster, Hannigan and Poole attended the meeting in accordance with Procedure Rule 37(b).

This was a Microsoft Teams Virtual Online Meeting

2032 **DECLARATIONS OF PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, SIGNIFICANT CONTACT WITH APPLICANTS OR THIRD PARTIES (LOBBYING) AND WHIPPING ARRANGEMENTS (IF ANY)**

The following members declared a personal interest:-

Councillor Briggs

Minute - general Application -general

Nature of Interest – Member of the Fire authority and Isle of Axholme Water Management Board.

Councillor T Foster

Minute - 2031 (i) Application – PA/2019/1977

Nature of Interest – Knows some residents.

Councillor C Sherwood

Minute - 2031 (iv) Application – PA/2020/564

Nature of Interest – Knows the applicant.

Councillor N Sherwood

Minute – 2031 (iv) Application – PA/2020/564

Nature of Interest – Knows the applicant.

The following members declared that they had been lobbied:-

Councillor T Foster

Application PA/2019/1977 Minute 2031 (i)

Councillor Hannigan

Applications PA/2019/1916 & PA/2019/2115 Minutes 2031 (ii) and 2031 (iii)

Cllr Ogg

Application PA/2019/1977 Minute 2031 (i)

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2033 **MINUTES – Resolved** – That the minutes of the proceedings of the meetings held on 3 and 17 June 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the Chairman.

2034 **MAJOR APPLICATIONS** – The Group Manager – Development Management 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.

(i) PA/2019/1977 by Trustees of Lt Col R Sutton Nelthorpe's Will Trust for outline planning permission to erect up to 48 dwellings with appearance, landscaping, layout and scale reserved for subsequent consideration at land south of St Martin's Road, Scawby, DN20 9BG

Three objectors spoke against the application, and in doing so raised a number of concerns. They felt that the application had been rushed through to meet the 5 year housing land supply, and the application was in the open countryside and should have been a last resort for development in the village. The stated it would be detrimental to the character of the area, the infrastructure could not support the development and over 50 letters of objections had been written on the same lines. Worries over the access, construction traffic, increased traffic and road safety were another concern, and they felt the road was not adequate for such a development.

The agent spoke in favour of the application, and firstly highlighted that the authority did not have a 5 year housing land supply, and the development was in a sustainable location with no adverse impacts. She indicated that the application was submitted in November 2019 so was not a rushed application, a full public consultation exercise had taken place with feedback received and responded to. There was no objections from the council's statutory consultees and agreed conditions and the provision of a S106 would be adhered to. She also stated that the development would be in keeping with the current character of the village.

Councillors T Foster and Poole spoke against the application as the local ward members. They indicated that the application was against a number of policies in the North Lincolnshire Local Plan, and also in the proposed new Local Plan the piece of land was not allocated again for development. Access and traffic would be a major concern, especially with construction traffic as the road was very narrow, and once occupied it would lead to a further 100 plus cars using the road. They felt it was out of keeping and should be refused.

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Cllr C Sherwood having read the report and listened to all the speakers also had concerns. He felt that it defied current policies, it was outside the development boundary, needed to take in the views of the residents, problems with the access and egress and it would require another access, and felt it was not sustainable in the area.

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

That planning permission be refused for the following reason –

The proposed development of up to 48 dwellings would constitute an unsustainable form of development outside the defined development boundary of Scawby and as such would be contrary to policies CS2, CS3, CS7 and CS8 of the North Lincolnshire Core Strategy and policy RD2 of the North Lincolnshire Local Plan.

Motion Carried.

2035 **PLANNING AND OTHER APPLICATIONS** – The Group Manager – Development Management 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 the applications. The Head of Development Management updated the reports orally where appropriate. Other officers attending gave advice and answered members' questions as requested.

(i) PA/2019/1174 by Miss Jacky Tolley for planning permission to change the use of a barn to a residential dwelling at Slate House Farm, unnamed road between Holme and Messingham, Holme, DN16 3RE

The agent outline the application and the need for the applicants to be on site for 24 hours. They have a shop on site, agriculture to tend to on a daily basis, and deliveries outside the normal business hours. To be able to maintain these requirements they need to be living on the site.

Cllrs Poole and T Foster spoke in support of the application and they felt there was no problem with it and permission should be granted. They had concerns for security of the business if the property was not occupied on a 24/7 basis and it was to the benefit of the family and the business.

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

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(ii) PA/2019/1916 by Mr & Mrs M & V Gorbitt, Field Farm Feeds for planning permission to erect a dwelling in connection with an existing business (agricultural worker's dwelling) (resubmission of PA/2019/907) at Field Farm Feeds, Thornton Road, Goxhill, DN19 7HN

The agent outline the application and the need for the applicants to be on site for 24 hours. They have a shop on site, agriculture to tend to on a daily basis, and deliveries outside the normal business hours. To be able to maintain these requirements they need to be living on the site.

Cllrs Clark and Hannigan spoke in support of the application and they felt there was no problem with it and permission should be granted. They had concerns for security of the business if the property was not occupied on a 24/7 basis and it was to the benefit of the family and the business.

Cllr Ogg agreed with the above speakers and felt it would be appropriate and beneficial for the applicants, and for the security of the business to grant permission.

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

That planning permission be granted with 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: Site Location Plan ref: 1760/004 revision A; Existing and Proposed Site Plans Location Plan ref: 1760/003 revision C; and Proposed Floorplan and Elevations Section Thru and Visuals ref: 1760/001 revision C.

Reason

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

3.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

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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.

4.

The existing vehicular access to the site shall be improved within highway limits in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

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

5.

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.

Reason

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

6.

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

Reason

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

7.

No above-ground work shall take place until a detailed drainage strategy has been submitted to and agreed in writing by the local planning authority. The use of SuDS must be considered and ground investigations carried out along with a feasibility assessment for infiltration. The drainage strategy must also details methods of preventing the discharge of surface water from the site onto the highway and/or the discharge of surface water from the highway into the application site. The approved dwelling shall be connected to the approved drainage scheme prior to occupation and retained as such thereafter.

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Reason

To prevent increased risk of flooding to the application site and other land in accordance with policy DS16 of the North Lincolnshire local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

8.

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

Reason

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

Informative

1

Records indicate that the site is bounded by a watercourse to the east. 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. Any other drainage feature found during excavations must be immediately reported to the LLFA Drainage Team on 01724 297522, prior to any further construction works being carried out.

Informative

2

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 on 01724 297522 or by email to llfadrainageteam@northlincs.gov.uk for further details.

Informative

3

Geological records indicate that the site is underlain by boulder clay which is a relatively impermeable deposit.

Informative

4

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;

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- 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

5

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.

(iii) PA/2019/2115 by Mr B Chapman of planning permission to erect a single-storey farm dwelling at The Grange, Station Road, Thornton Curtis, DN39 6XF

The applicant outlined the need for the application and the erection of the single-storey dwelling on the farm for the health and wellbeing of his family members, and in particular a family member who has a disability and needs daily care. Whist at the same time looking after the farm.

Both Cllr Hannigan and Clark as ward members spoke in support of the application. They indicated the need for the family to be together, and praised the applicant for the work already carried out on the site which was in keeping with the area.

Cllr C Sherwood said he had read the report and knows the officers have to look at all the policies as written, but the committee have to take into consideration all circumstances and in a personal way, and he could see nothing wrong with the application.

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

That planning permission be granted subject to 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: Site Location Plan – drawing no: 10; Proposed Site Plan – drawing no: 03; and Proposed Plans & Elevations – drawing no: 01.

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Reason

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

3.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

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.

4.

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

Reason

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

5.

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.

6.

No above-ground works shall take place until proposals for landscaping have been submitted to and approved in writing by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

7.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by

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the local planning authority). 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 any variation.

Reason

To enhance the appearance of the development in the interests of amenity.

8.

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

Reason

To prevent increased risk of flooding to the application site and other land in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

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.

(iv) PA/2020/171 by Mr Ben Spink for planning permission to erect a detached dwelling and car port at land adjacent to Thornton Hall Gardens, Station Road, Thornton Curtis, DN39 6XF

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

(v) PA/2020/366 by Mr Ben Spink for planning permission for external landscaping works, including enhancement of existing ponds, in connection with a new build dwelling at land adjacent to Thornton Hall Gardens, Station Road, Thornton Curtis, DN39 6XF

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

(vi) PA/2020/564 by Mr J Addison for planning permission to change the use of a workshop to a dwelling, including a new extension at Workshop south of North-Holme, Saxby Road, Bonby, DN20 0PY

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

(vii) PA/2020/695 by Max Lambert for planning permission to change area of residential land use, erect detached chalet bungalow thereon and re-site Dutch barn, including associated works at Caravan, The Meadows, Carr Lane, East Lound, DN9 2LT

Resolved – That the committee is mindful to grant the application and the decision be delegated to the Group Manager – Development Management and Building Control, subject to the revocation of existing planning permissions PA/2018/2361 and PA/2020/219, and subject to the following conditions/reasons:

1.

The development must commence 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: 1 of 1 – Existing and Proposed Barn, 1 of 4 – Elevations, 2 of 4 – Floor Plans, 3 of 4 – Sections, 4 of 4 – Proposed Block Plan and Location Plan.

Reason

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

3.

Nothing shall at any time, whether permitted by the Town and Country Planning (Development Management Procedure) (England) Order 2010 or not, 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.

4.

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

Reason

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

5.

No development shall take place until a detailed drainage strategy has been submitted to and approved in writing by the local planning authority. The drainage strategy shall outline all sources of flood risk (including surface water, ground water and ordinary watercourse) and proposals to mitigate this, and shall include preliminary drainage layout plans. 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, which can be found on the council's website here. The development lies within an area identified as at medium risk of localised flooding.

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.

6.

The approved drainage strategy shall be implemented in full prior to the occupation of the dwelling and retained as such thereafter.

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.

7.

Within three months of the commencement of development, a biodiversity management plan shall be submitted to the local planning authority for approval in writing. The plan shall include:

- (a) details of measures to avoid harm to hedgehogs and nesting birds during vegetation clearance and construction works;
- (b) details of at least two bat roosting features to be installed in the new dwelling;
- (c) details of nesting sites to be installed to support a variety of bird species, including barn swallow and/or barn owl;
- (d) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;

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- (e) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (f) prescriptions for the retention, planting and aftercare of hedgerows, trees and shrubs of high biodiversity value;
- (g) details of revised locations of proposed measures in relation to the previously approved biodiversity management plan, ref CL.ML.13.8.2019;
- (h) proposed timings for the above works in relation to the completion of the buildings.

Reason

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

8.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. The applicant or their successor in title shall submit photographs of the installed bat roosting and bird nesting features, within two weeks of installation, as evidence of compliance with this condition.

Reason

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

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), no extensions or alterations shall be installed on the building and no buildings shall be erected on the site other than those expressly authorised by this permission.

Reason

To ensure that the design and appearance of the building is controlled in the future so that any additions to the property are sympathetic to its location within the Isle of Axholme Area of Special Historic Landscape Interest in accordance with policy LC14 of the North Lincolnshire Local Plan.

10.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

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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.

Informative 1

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 on 01724 297522, prior to any further construction works being carried out.

Please refer to the Environment Agency's 'Living on the edge - Riverside ownership rights and responsibilities' document which can be found online for further information. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 2

Records indicate that the proposed development site is bounded by an ordinary/riparian watercourse/highway drain along the eastern 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 on 01724 297522 or by 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

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 4

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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.

(viii) PA/2020/774 by Keadby Developments Ltd for planning permission to retain water abstraction infrastructure at land west of pumping station, East Road, Keadby

Resolved – That the application be deferred to enable the Canal and River Trust, a statutory consultee, to be consulted and their response received.