NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

26 AUGUST 2020

PRESENT:- Councillor N Sherwood (Chair)

Councillors Evison (Vice-Chairman), J Davison, L Foster and Southern.

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

This was a Microsoft Teams Virtual Online Meeting

2036 **DECLARATIONS OF PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, SIGNIFICANT CONTACT WITH APPLICANTS OR THIRD PARTIES (LOBBYING) AND WHIPPING ARRANGEMENTS (IF ANY)**

The following member declared that he had been lobbied:-

Councillor Rose
Application PA/2020/329 Minute 2039(i)

2037 **MINUTES – Resolved** – That the minutes of the proceedings of the meetings held on 1 and 15 July 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the Chairman.

2038 **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/2020/588 by The Strategic Land Group for outline planning permission for residential development, open space and associated infrastructure (appearance, landscaping, layout and scale reserved for subsequent consideration) at land north of Ings Road, Kirton in Lindsey

Two objectors addressed the committee raising numerous concerns against the proposal. Their concerns included, the development being on agricultural land that would be lost forever if developed on, already a large amount of development allocated to the village and it would cause great pressures on the infrastructure. They also stated it was outside the development footprint, it would cause harm to the residents, it was not sustainable, and the village could not accommodate the additional traffic movements.

The agent spoke in response to the objections, and indicated that the committee should refer to the officer's thorough report and analysis that was recommending grant permission. He said the proposal had received support from other technical officers, and they had tried to accommodate the local residents' views.

The Chairman at this stage in the meeting read out a letter from the local MP Holly Mumby-Croft stating her concerns with the application, and the concerns she had received from local residents. She urged the committee to refuse the application.

Cllrs T Foster and Poole also spoke as local ward members against the application. They had concerns that it was outside the development line, worries about the access to and from the site on narrow roads, and was in the open countryside.

Cllr Evison stated he was opposed to the proposal as it was outside the development boundary, he felt it was unsustainable, and there would be major issues with the traffic and narrow roads.

It was moved by Cllr Evison and seconded by Cllr J Davidson –

That planning permission be refused for the following reasons –

The local planning authority is not convinced that Ings Road is of a suitable width to provide a satisfactory access to serve the proposed development and that Ings Road can cater for the significant increase in vehicle movements that the development would generate. As a result it is considered that the proposal would result in increased hazards to vehicular and pedestrian users to the detriment of highway safety. Accordingly the proposal is contrary to policies T2 and H5 of the North Lincolnshire Local Plan and paragraphs 108 and 109 of the National Planning Policy Framework.

The proposed residential development is located outside the defined development boundary for Kirton in Lindsey in an unsustainable location and as such is contrary to policies RD2 of the North Lincolnshire Local Plan and CS2, CS3, CS7 and CS8 of the North Lincolnshire Core Strategy.

Motion Carried.

2039 **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/2020/329 by Mr Peter Oliver for outline planning permission to erect a dwelling with appearance, landscaping, layout and scale reserved for subsequent consideration at land opposite Kelholme, Owston Ferry Road, Kelfield, DN9 1AG

The agent addressed the committee outlining the proposals, and highlighted that it was an infill site, and there was no substantive objections that could not be dealt with by using suitable conditions. He also stated that the site was already had partial residential use on it.

Cllr Rose as the local Ward Member spoke in support of the application, and could only see benefits from approving the application as it was an infill development between houses.

Cllr Evison stated it was a plot surrounded by other houses, and was infill development. He felt it worked within the setting and in keeping with the area.

It was moved by Cllr Evison and seconded by Cllr J Davidson –

That planning permission be granted in accordance with 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 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 hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 1 of 1 – Location Block and Site Plans.

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

6.
The existing vehicular access serving the footway fronting the site shall be improved in accordance with details to be submitted to and approved in writing by the local planning authority. The approved works shall be completed prior to the occupation of the dwelling and retained thereafter.

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

7.
The proposed new dwelling shall not be occupied until adequate parking and turning facilities have been provided within the curtilage of the site in accordance with details to be submitted to and approved in writing by the local planning authority. Once provided the parking and turning facilities shall be retained.

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

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.

Reason

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

9.
The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 26 February 2020 by Howard J Wroot, and the following mitigation measures detailed within section 5.5-5.7 of the FRA:

- Dwelling to be at least two storey

- Finished floor level of ground floor habitable rooms to be set no lower than 6.53 metres AOD or ground floor to be restricted to non-habitable uses (garage, utility, shower room etc.) and have a finished floor level of no lower than 5.2 metres AOD

- Flood resilience measures to be incorporated as stated.

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

10.
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 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.

11.
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.

12.
No demolition, vegetation clearance or development shall take place until a species protection plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

(a) the results of at least one bat emergence/re-entry survey of all buildings to be altered or demolished. The bat survey shall be carried out between May and August in accordance with section 7.1 of Collins, J. (ed) 2016 Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The survey report shall indicate what mitigation measures are to be undertaken in the event of one or more bats roosts being discovered, including details of any licenses required to legitimise the proposed works;

(b) details of measures to avoid harm to bats, hedgehogs and nesting birds during demolition, vegetation clearance and construction works.

Reason
To protect features of recognised nature conservation importance in accordance with saved policy LC5 and policy CS17 of the North Lincolnshire Core Strategy.

13.
Within three months of the commencement of development, the applicant or their successor in title shall submit a biodiversity management plan to the local planning authority for approval in writing. The plan shall include:

(a) details of at least two bat roosting features to be installed;

(b) details of nest boxes to be installed for house sparrow and starling;

(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, shrubs and wildflowers of high biodiversity value;

(f) proposed timings for the above works in relation to the completion of the building.

Reason
To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the Core Strategy.

14.
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 protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the Core Strategy.

Motion Carried.

(ii) PA/2020/386 by Mr Garry Hirst, Delta Salvage Ltd for planning permission to erect a steel-framed building for storage and distribution (Use Class B8) and associated works at Delta Salvage, Sandtoft Road, Westgate, Belton, DN9 1PN

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

(iii) PA/2020/631 by Mr Matthew Pruce, DLP Planning Ltd for planning permission to erect six dwellings, including associated works and demolition of existing agricultural buildings at The Farm Yard, Ferry Road, Graizelound, DN9 2LY

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

(iv) PA/2020/878 by Mr Tony Mcadam for planning permission to retain fencing to side of property (re-submission of PA/2019/1884) at Norrene, 14 Johnsons Lane, Crowle, DN17 4ER

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