



To be submitted to the Council at its meeting on 17th September 2020

PLANNING COMMITTEE

12th August 2020 at 9.30 a.m.

Present:

Councillor Harness (in the Chair)

Councillors Beasant, Goodwin, Hasthorpe, Hudson, James, Nichols, Parkinson, Patrick (substitute for Mickleburgh), Pettigrew and Silvester.

Officers in attendance:

- Lauren Birkwood (Senior Town Planner)
- Matthew Chaplin (Public Rights of Way Mapping Officer (P.18))
- Rob Close (Scrutiny and Committee Support Officer)
- Hannah Dixon (Solicitor)
- Lara Hattle (Highway and Transport Planner)
- Cheryl Jarvis (Principal Town Planner)
- Richard Limmer (Major Projects Planner)
- Keith Thompson (Specialist Lawyer Property)

P.16 APOLOGIES FOR ABSENCE

There were apologies for absence received from Councillor Mickleburgh.

P.17 DECLARATIONS OF INTEREST

No declarations of interest were received in respect of any item on the agenda for this meeting.

P.18 FOOTPATH 72, WALTHAM

The committee received a verbal update on Public Footpath 72.

Mr Chaplin explained that the existing substation currently provided power to 300 residential properties, so could not be decommissioned until the new substation was operational. As part of the commissioning

check necessary in order to make the new substation operational, a series of power outages to 200 to 300 residential properties would be required. Formal notification and consultation would be required to execute this. Given the specialist nature of the works, Northern Power Grid had a specialist contractor, but due to Covid-19, Northern Power Grid had reprioritised much of their electrical mains programme as essential works in addition to the undertaking of more emergency works. Some of the components for the substation had been delayed due to restrictions resulting from Covid-19. The contractor had sited October 2020 for the recommencement of works, with a further two to three weeks before completion. A letter was sent to Northern Power Grid on 8th August requesting a date to be provided confirming recommencement of the works. They replied promptly confirming this was on their list of planned 'cancelled works', meaning that any other works cancelled would be reprioritised to this substation. Northern Power Grid agreed to provide a date that the works were going to take place, Mr Chaplin offered to provide an update at the next meeting of the Planning Committee.

The Chair asked for further information on the power outages that residents would be subject to. Mr Chaplin wasn't aware of the detail of the power outages.

Councillor Hudson stated that this lengthy process would have been unnecessary if initially the committee followed officers' advice. Councillor Parkinson agreed with these comments and hoped the committee would learn from their mistakes.

RESOLVED – That an update on Footpath 72 be given at the next scheduled meeting of the Planning Committee.

P.19 DEPOSITED PLANS AND APPLICATIONS

The committee considered a report from the Director of Economy and Growth regarding deposited plans and applications.

RESOLVED – That the deposited plans and applications submitted under the Town and Country Planning Act (Serial No's 1 – 4) be dealt with as set out below and detailed in the attached appendix.

Item 1 – DM/1100/19/FUL – Humberston Motors 223-225 Humberston Road

Ms Birkwood introduced the application and explained that it sought to demolish an existing car dealership and erect a new building to create two A1 units (convenience food store and retail unit). The building would be single storey in height and the roof would be both pitched and flat. A canopy was proposed along the building's front and side elevation. Materials were identified as a mixture of brickwork and metal cladding for the external work, metal sheeting for the roof and aluminium gutters and fascias. Landscaping would be provided within the site, primarily to the site edges. She showed the committee plans and pictures of the site and

explained that it came before them following a request by a ward councillor.

The site sat within the development boundary for Cleethorpes, so was therefore in accordance with Policy 5 of the North East Lincolnshire Local Plan 2018 (NELLP 2018). Policy 23 of the NELLP 2018 set out three tests to permit retail developments including:

- The development cannot be accommodated within existing town and local centres.
- The development will not impact upon the vitality or viability of any town or local centre.

This application was supported by a retail assessment submitted by the applicant. The local authority had sought their own independent retail advice. It was considered that there was a direct need for this development in this location. The provision of immediate shopping facilities would enhance the overall sustainability of this settlement. The applicant's assessment considered alternative locations, however, it discounted them due to issues such as availability and size. In response to this, the local authority accepted that there wasn't suitable capacity to accommodate the development in existing town or local centres. It was considered that an additional unplanned facility would impact and compete for expenditure with nearby local centres, including the Humberston Road local centre which sat approximately 250 metres away. Therefore, this proposal would be contrary to Policy 23 and 28 of the NELLP 2018. The proposed building would provide an interesting definition to the frontage facing onto Humberston Road. The building would be able to be accommodated without resulting in an overdeveloped layout and the materials proposed were not uncommon for this type of facility. The design was considered acceptable. The building would sit within a predominantly residential area with residential dwellings located next to the site. The properties adjacent were well separated and the existing Humberston Road separated the site from neighbours. Neighbours adjacent to the site would be separated by a large landscaping buffer. Given that the site would remain in commercial use, this application wasn't considered to have an undue impact on residential amenity. The introduction of a convenience store would increase the activity of the overall site; however, this would not significantly increase noise or disturbance. This was demonstrated through a noise assessment provided by the applicant. The Environmental Health Officer had confirmed that there were no objections on that basis. The impact to residential amenity was therefore considered acceptable. The site was located near a busy junction at Coniston Crescent which resulted in a number of objections from residents regarding highways safety and capacity. The applicant had supplied a transport statement which asserted the proposal would not generate significant additional traffic on the network, which was accepted by the highways officer. However, significant road safety issues may be caused due to the proximity with Coniston Crescent and the sharp bend. Therefore, the Highways Authority had recommended that a Traffic

Regulation Order (TRO) must be entered into prior to any occupation of the retail units. This was to ensure that no vehicles would park on street outside the site and access, potentially causing further road safety issues on the adopted highway. The applicant had shown that there would be car and cycle parking facilities on the site. The impact to highways safety was therefore considered acceptable. There was proposed landscaping to the boundaries of the site, which were considered acceptable by the Tree Officer. Neighbours had raised concerns about the vacant land to the rear of the site which was owned by the applicant. This area would not form part of the proposal and any maintenance of the trees and hedging would be dealt with by the applicant. The impact to the natural environment was therefore considered acceptable. The Drainage Officer required further detail in terms of surface water drainage mitigation, however, the detail provided was acceptable in principle. Ms Birkwood concluded that while the detail of the scheme could be made acceptable through conditions, the application failed to comply with the relevant retail policies for the borough. The principle of a retail development at this site was unacceptable, this application was therefore recommended for refusal.

Ms Jarvis introduced a report submitted by Marrons Planning which independently tested the retail assessment of the proposal. The first thing the reported assessed was if sequentially the proposal was acceptable. The report looked at the evidence provided in the retail assessment offered by the applicant and agreed that this development couldn't be accommodated within an existing town or local centre in the borough. The report went into some detail as to the catchment of where this proposal would impact including the Tesco Extra supermarket and the Trinity Road, Hardys Road, Middlethorpe Road and North Sea Lane local centres before concluding that these local centres were robust enough to withstand the impact of this development. Although, the local centre on Humberston Road was considered vulnerable as a local centre and this proposal would undermine its vitality and viability. Planning policy was clear that where there was a significant impact to other local centres, applications should be recommended for refusal. In conclusion, the independent retail advice concurred with the officers' report and agreed permission should be refused.

Mr Swarbrick was invited to address the committee in his capacity as the agent for this proposal. He noted officers' concerns in relation to the proposed development which focused on the perceived unacceptable impact on the vitality and viability of established local centres, including the nearest local centre on Humberston Road. However, the applicant was firmly of the opinion, in view of the scale, nature and format of the proposed store, that the proposed development would not compete to a meaningful degree with the nearby local centre and would not generate unacceptable trading impacts that would justify the refusal of planning permission, particularly having regard to the other material benefits that would flow from the proposed development. Planning Practice Guidance was clear that retail uses tend to compete with their most competitive facilities and the existing retail provision within the nearby local centres

was small-in-scale providing a limited range of products that did not adequately meet the day-to-day shopping needs of the local community meaning they were reliant on the Tesco Extra store at Hewitts Circus for such needs, as had been highlighted by a number of local residents who had responded in support of the application. The proposals would provide enhanced basket shopping facilities offering a much wider product range than the existing local shopping provision within the nearby local centres and, as such, it was considered that the proposed development would compete most directly with Tesco Extra and would reduce the reliance of residents on this out-of-centre store as a food shopping destination. We remain of the view that the application proposals would not compete to an unacceptable degree with the limited retail provision within nearby local centres and it was important to acknowledge that no objections had been received to the proposals from any retailers within nearby local centres. The NPPF recognised that planning decisions should plan positively for new community facilities, including local shops to enhance the sustainability of communities and residential environments. The retail offer of the proposed store was not directly comparable to that of the small-scale retail facilities within nearby local centres and would therefore form an entirely complementary addition to the existing shopping provision in the local area providing a modern format convenience store offering a wide range of fresh, frozen and chilled product lines that would merely improve the range of local shopping facilities residents of Humberston had available in their local area and would reduce reliance on the out-of-centre Tesco Extra. The proposals had received a high level of support from local residents, the overwhelming majority of whom had welcomed the provision of enhanced local shopping facilities on their doorsteps. The proposals would not give rise to unacceptable impacts in terms of highway safety, design, residential amenity, or flood risk and drainage and would also secure the redevelopment of a prominent vacant site in a highly accessible location and would clearly accord with established sustainability principles. The proposals also represented significant investment in the local area and would generate in the region of 15-20 jobs for local people and these benefits should clearly be afforded significant weight in the current economic climate. The proposed development would clearly deliver a number of material benefits and would enhance the overall sustainability of the local community and residential environment. The proposals therefore represented an entirely acceptable form of development having regard to the relevant policies of the NELLP 2018 and there was clearly high level of support for the development amongst the local community, as evidenced by the responses received as part of the applicant's community engagement exercise and the large number of public consultation responses received in support of the application.

Mr Dixon was invited to address the committee in his capacity as the applicant for the proposal. In 2017, Mr Dixon launched a store in Ulceby and he explained how closely the store worked with the community. This was in addition to the community fund that the village received for being one of the free local causes. This sort of community spirit was replicated

across the country. Locally, colleagues would arrange sponsorship for under 10s football teams, working with food share charities, and working towards a 50 mile hike to raise money for a local mental health charity. He stated that customers had given very positive feedback surrounding the support they offered during the Covid-19 pandemic. A store in the proposed location would provide convenience and contribute back into the local community.

Mr Close read out a statement submitted by Councillor Brookes, ward councillor for Haverstoe. The statement confirmed that of the number of representations he had received as a ward councillor, none had any negative comments about the proposed development.

Councillor Hasthorpe felt that this was a wonderful proposed building and would bring a disused piece of land back into use. However, he worried that this would take away custom from other retail premises. He felt that this area was already well supported by retail developments. He had concerns about the access and egress from the site due to the increased activity. He proposed that this application be refused.

Councillor Parkinson initially didn't have any objections towards the proposal. Since then, he had become increasingly concerned about the impact to neighbouring retail sites. He felt that local residents were more indifferent than supportive. He seconded Councillor Hasthorpe's motion of refusal.

Councillor Hudson felt that some established local centres failed to offer a decent selection of products to residents. He noted this was an opportunity to introduce a good well stocked store into the area. He compared this application to a similar development in New Waltham which he felt had flourished since its initial objections.

Councillor Hasthorpe could appreciate Councillor Hudson's comments, but stated that applications for retail were diminishing in other areas of the borough. He felt that current retail premises should be allowed the opportunity to improve their offering to residents rather than compete with rival stores.

The Chair referred to a previous application in New Waltham, noting the impact additional retail developments could have on current established premises. He felt he couldn't support this application.

Ms Jarvis explained that the store introduced in New Waltham formed part of an existing local centre, so differed to this application on that aspect.

Councillor Hasthorpe reminded the committee that this application was for two units so the proposal wouldn't be limited to just a store. He felt there would be a significant increase to traffic on the bend opposite Coniston Crescent.

Councillor Beasant agreed with Councillor Hasthorpe's comments. He worried how close this would be to other retail centres in the area. In addition, he was concerned that the readily available access to cars diminished the demand for another local retail premises within walking distance. He noted that the applicant had closed a store in the borough, not long after they were opened.

Councillor Patrick suggested that the viability of convenience stores was being decreased due to larger supermarkets and the rise of internet shopping. He wasn't convinced this application would create any traffic issues. He felt that the application could offer more than just retail convenience if approved, noting the community involvement that was mentioned previously. Ultimately, he didn't consider the necessity for greater choice to residents realistic considering the site's proximity to other retail spaces.

RESOLVED – The application was refused as the proposal was contrary to Policies 5, 23 and 28 of the NELLP 2018 and advice in the National Planning Policy Framework 2019 (NPPF) in that it failed to demonstrate that the established retail hierarchy would not be undermined in this out of centre location by reason of the type of retailing, floorspace format, character and layout. A change in the retail hierarchy would be likely to have an adverse impact on established local centres including the existing designated local centre (LC26) on Humberston Road.

(Note - the committee voted eight to three in favour of this application being refused.)

Item 2 – DM/0305/20/FUL – Land at Forest Way Humberston

Ms Birkwood introduced the application and explained that it sought permission for the erection of nine dwellings with garages. The proposal was comprised of bungalow and chalet bungalow properties running along Forest Way with a T shaped layout to the rear of these frontage properties. She showed the committee plans and pictures of the site and explained that it came before them following an objection from Humberston Parish Council.

She explained that the proposed site was allocated for housing under Policy 13 of the NELLP 2018. Residential development on this site had therefore been established and supported through the development plan. Planning permission was granted in 2019 for 13 dwellings on this site, however, the decision was not issued due to the need to complete a Section 106 Agreement. This proposal would provide a mixture of two, three and four bed roomed properties within the site. This would be suitable within the area and would offer compatible density within the wider area. The applicant had shown on the site plan and detail provided that boundary treatments and landscaping would be provided within the site. This was considered suitable for the location and the existing character of the area. The design and scale of this application was

considered acceptable. The accessibility of the site had been previously considered under the allocation process of the NELLP 2018 and was found to be acceptable for a location for residential development with good access to services. The application was considered acceptable by highways officers who had no concerns of increased traffic generation within the area. The proposal provided suitable off-street parking for each property. The Drainage Officer raised no concerns subject to conditions to control surface water. The applicant had provided details to demonstrate how water would be utilised on this site to limit wastage. This application was therefore acceptable in terms of drainage. It was noted that there had been a number of comments from neighbouring properties with concerns including dominance, overlooking and privacy issues. The proposal had a mixture of dormer and bungalow properties which were amended during the previous planning application to consider the neighbours comments. It was considered that the layout and separation distances were acceptable. The dormer bungalows raised concerns of overlooking from first floor window openings, although the separation distances were considered sufficient to mitigate the impact of overlooking. The application was therefore considered acceptable on the grounds of residential amenity. The applicant had provided an ecology report which identified protected species within the adjacent land and which was part of the original proposal. The Ecology Officer felt that the mitigation provided was suitable and offered no objection. The Section 106 agreement was still awaiting sign off from the original proposal, however, the site area had since reduced and did not include the full allocated site. She noted that paragraph 13.75 of the NELLP 2018 stated:

- The Council will not normally apply a less than ten-unit threshold. However, where density has been reduced to specifically avoid payment of a contribution, and the proposed development is not representative of the area's character and context, the Council will consider carefully whether the development represents an efficient use of land.

On this basis, to ensure the relevant contributions were provided if the remainder of the site was developed, the Section 106 Agreement was to be amended to ensure the contributions were secured. This had been agreed by the applicant. Ms Birkwood confirmed that this application was recommended for approval, subject to conditions and the completion of a Section 106 Agreement.

The Chair sought further information on the Ecology Method Statement. Ms Birkwood explained that if the committee requested, the statement could be provided but wouldn't necessarily be circulated as part of the standard agenda.

Mr Rudd was invited to address the committee in objection to this proposal. He explained that he and his family's property and garden adjoined the proposed development site. He emphasised that he had no fundamental objection to the development of this site, or, the basis of the

proposed layout of this planning application. However, he strongly objected to the impact to his amenities and that his garden would be excessively overlooked. He stated this would destroy his current levels of privacy and ability for full enjoyment and use of his garden in particular directly at the boundary with plots one and three of the proposed plan. He had enjoyed his current levels of privacy in this area of his amenities since moving nine years ago. The development plot was up until late 2018, a locally recognised wildlife haven with many species having protected and priority status. Even since the controversial clearance of the site in late 2018, he had continued to enjoy privacy in this area and successfully fought for a level of privacy to be maintained through the original development plan that was given approval by Planning Committee in 2019. That application included a bungalow on plot three of the plan. The site of that bungalow had originally been proposed as townhouses with second floor windows which overlooked into his garden. Through objection and subsequent negotiation, these townhouses were replaced with the said bungalow, as the developer conceded to the overlooking and privacy intrusion issue. His objections were therefore removed from that application on the basis that a bungalow would now be sited on plot three so reducing the impact on his privacy. This application once again proposed a property on plot three with a second-floor window with direct views into his garden. This coupled with the property and windows on plot one, which was also considerably closer to his property, made for an overbearing and overpowering feature and completely altered the aspect and situation of his garden in this area which was in full use and enjoyed by all members of the family. This new revised application had now reverted back to a two-floor property on plot three which was significantly larger in scale and footprint. It was also considerably closer to the boundary with his property than even the original proposed townhouse, thus making the second storey window much more overbearing which, ultimately, was seen as inappropriate and removed and replaced with the bungalow. Privacy and overbearing were all valid residential amenity criteria within planning considerations and not limited to mere building distances. This allowed for each individual case to be assessed and any development should be considerate of existing residents and not just considerate of general planning guidelines. As such, privacy and overbearing were matters that should not be dismissed as minor or secondary issues. This was even more prevalent in the case of this application as the development site was encircled by existing long standing residential properties. Every effort should be seen to be made to limit the negative impact of the development and certainly should not include reconsiderations on previous agreements and conceded points of objection. In mitigation of the reversal in stance on the privacy issue, the development team had offered the planting of an additional tree to the boundary with his property. Of course, the planting of trees was not an immediate remedy to the immediate loss of my privacy. A professional Arborist believed it may take up to five years for any real and tangible benefit to be achieved. The additional tree planting should've been seen as merely gesture in the hope that it ticked a box in an effort to appease an issue already conceded as being correct and previously remedied by a change

to the building of a bungalow. It in no way demonstrated a full consideration of the impact of the revised plan and only offered a default, generic, unimaginative, and limited solution. The issue with badgers on this site was being argued as the driving factor to the changes to the plan from which was originally approved. The badgers had been present on this site for many years and the landowners had the responsibility for their welfare. Natural England had taken the step of refusal of licence to encourage displacement of the badgers. Given that the applicant has been unable to successfully register for a license to disturb the onsite badger setts, and, given that the role of Natural England wasn't the prevention of development of sites, this was surely a risk that any development team should be willing to accept and absorb. In conclusion, he accepted that any development would have some level of change to the status quo. There would however be a clear and detrimental change to his current level of privacy. He stressed he would like the reinstatement of the low impact bungalow on plot three of the plan, which would honour the previous commitments that had already been seen as the correct course.

Mr Snowden was invited to address the committee in his capacity as the agent for this proposal. He referred to the planning permission granted in 2019 for 13 dwellings. An application was submitted to Natural England for the relocation of the protected species. Natural England wished for the species to be retained on the site, subsequently, the site area was reduced. Humberston Parish Council were made aware of the amendments to the plans. Due to Covid-19 restrictions, the applicant was unable to attend a Humberston Parish Council meeting to present the application before them. The main site remained similar in design to the previous application, however, there were alterations to plots three and four. These alterations were mainly limited to the inclusion of rooms in the roof space. The properties remain of bungalow design but now had rooms in the roof space and a window looking onto Carrington Drive. The windows to these plots couldn't realistically be removed so additional landscaping was proposed. Recommended separation distances were 20 metres, this site achieved distances of 40 metres. No objections were received from officers. The site sat within an area of allocated housing in the NELLP 2018.

Mr Limmer acknowledged there was a change of property types in the amended scheme, however, plot three benefitted from a garden space of 11 to 12 metres before it hit the site boundary and a further 29 metres of Mr Rudd's own garden space. Typically, recommended separation distances would be 21 metres, the distance offered by this application significantly exceeded that.

Councillor Hasthorpe sought clarification on the garden structure of Mr Rudd's property and if this was the basis for his concerns of overlooking. The Chair invited Mr Rudd to answer Councillor Hasthorpe's question. Mr Rudd explained that the building was multiuse which, although the impact of overlooking did cause him concern, was not the only area of his property that he felt would be unduly affected from overlooking.

Councillor Parkinson felt that the two plots to the front of the site were aggressively positioned adjacent to neighbours. He asked if plot one could be amended as to reduce the impact to adjacent properties. Mr Limmer explained that the committee could only consider this application as it was laid out before them.

The Chair asked if the neighbour adjacent to plot one had raised objections. Mr Limmer confirmed that no representations had been received from the affected neighbour.

Councillor Parkinson feared that the lack of representations received was a result of the residents' concern that their comments wouldn't hold weight.

Councillor Hudson felt initially that this application represented an improvement. He was satisfied that the protected species were being accommodated for. He was concerned that the change from bungalows would detrimentally affect neighbouring views.

Councillor Pettigrew considered the separation distances to be more than enough and noted that the NELLP 2018 allocated this area for housing anyway. He moved that this application be approved.

Councillor Hasthorpe referred to a letter from Humberston Parish Council which noted that they supported neighbouring objections. He asked the Chair if he concurred with these comments. The Chair had sympathy for the residents neighbouring the site and would have preferred it if the properties remained bungalows.

Mr Limmer reminded the committee that they could only consider the application before them unless the committee resolved to defer the application for negotiations.

Councillor Hasthorpe suggested a condition limiting the first-floor bedroom window at plot three to be obscurely glazed. He felt he would be able to support the application with this condition.

Councillor Parkinson enquired about the separation distances from plot three to the adjacent neighbour. Mr Limmer explained that there was a distance of 3.5 metres from the side wall of the garage on plot three to the neighbour's side wall and there was a distance of 7.6 metres from the main property to the neighbour's side wall. Councillor Parkinson felt that this distance was unacceptably close. Mr Limmer stressed that the plot in question had already been approved in principle in 2019 but awaited signing of a Section 106 agreement.

Councillor Pettigrew sought guidance if an obscurely glazed bedroom window could be enforced. Mr Limmer confirmed that it could be enforced, although it would have to have an opening mechanism to comply with building regulations. He added that officers' views were that

the window didn't need to be obscurely glazed due to the significant separation distances.

Councillor Pettigrew maintained his motion of approval without the condition for an obscurely glazed window. Councillor Hasthorpe seconded Councillor Pettigrew's motion as originally proposed.

The Chair noted his concern that the plans had been amended since their original proposal and stated he would have to support the residents on this issue.

RESOLVED – That the application be approved with the attached conditions and the signing of a Section 106 Legal Agreement.

(Note - the committee voted eight to three in favour of this application being approved.)

Item 3 – DM/0439/20/FUL – 6 Cattistock Road Cleethorpes

Ms Jarvis introduced the application and explained that it sought to convert the roof space to provide first floor accommodation to include a partial roof lift to include the installation of roof lights with alterations at an existing detached bungalow. She showed the committee plans and pictures of the site and explained that it came before them following the number of objections from neighbours.

Residential extensions were not uncommon to domestic properties and were permitted under Policy five of the NELLP 2018. The proposal maintained the presence of a bungalow from the front elevation. The materials used would match the existing dwelling. It wasn't felt that there would be a significant impact to the character of the area. Objections were received due to the impact of light to neighbouring residents. The agent had demonstrated that the application would actually pass a light test. The property sat within its own garden and had good separation distances from other properties. The main impact of the development was the installation of the rooflights on either side which weren't uncommon in the area. As the roof was predominantly the same as other properties the impact on massing and overlooking was considered acceptable. Both neighbouring roof slopes were blank so any overlooking would be limited to the roof tiles on neighbouring properties. The applicant had worked with officers to reduce the impact of the application to an acceptable level. Ms Jarvis confirmed that this application was recommended for approval.

Councillor Parkinson wouldn't have been able to support the original application but felt that the applicant had worked well with officers to mitigate the impact. He moved that this application be approved.

Councillor Hudson echoed Councillor Parkinson's comments and seconded his motion of approval.

Councillor Pettigrew concurred with the previous Councillors but noted his sympathy for the immediate neighbour because of the impact to them during construction. He hoped this would be addressed within the construction management plan. Ms Jarvis noted that there wasn't a condition for a construction management plan for this application, however, if the committee felt it necessary it could be included. Councillor Pettigrew suggested the inclusion of a construction management plan with Councillor Parkinson's agreement.

RESOLVED – That the application be approved with the additional condition:

1. Prior to development commencing a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details. The construction management plan shall include:
 - Dust mitigation measures;
 - Noise mitigation measures;
 - Details of construction working hours;

(Note - the committee voted unanimously in favour of this application being approved.)

Item 4 – DM/0311/20/FUL – Land Off Main Road Barnoldby Le Beck

Mr Limmer introduced the application and explained that the proposal was a full application for the erection of three dwellings (one bungalow and two houses) with associated access, landscaping, garages and infrastructure. A similar application was approved in 2017 but approval had since expired. He showed the committee plans and pictures of the site and explained that it came before them due to an objection from Barnoldby Le Beck Parish Council and the number of objections received from neighbouring properties.

The application benefitted from material planning history and was located within the development boundary for Barnoldby-Le-Beck. The application was therefore considered acceptable in principle. There were significant negotiations in the original application because of plot one's impact on the trees to the edge of the boundary and the potential for overlooking to the properties on Beck Farm Mews. Plot one would be single storey and the impact to neighbouring properties was considered to be acceptable. Plot two was well separated from neighbours and was considered acceptable. Plot three had no residential neighbours. The overall impact to neighbours was considered acceptable. The vacant land next to the site was due to be built on so a view of new properties from the opposite public bridleway was to be expected. The impact to the character of the

area was not considered to be detrimental. Neighbouring properties raised the issue of Japanese knot weed. The previous application had a condition that required the eradication of any Japanese knot weed. Since then, Japanese knot weed was no longer considered a material planning issue. In discussion with the applicant it revealed that the Japanese knot weed was mainly located at the site adjacent to this site. Preparations had been made to eradicate the Japanese knot weed. Mr Limmer confirmed the application was recommended for approval.

Mr Snowden was invited to address the committee in his capacity as the agent for this application. He noted the scheme was previously approved in 2017 and phases two and three of the overall project had been approved and commenced. The Japanese knot weed had been completely cleared from the site now. No objections were received from officers.

Councillor Hudson moved that this application be approved. Councillor Parkinson seconded this approval.

RESOLVED – That the application be approved with the attached conditions.

(Note - the committee voted unanimously in favour of this application being approved.)

P.20 PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The committee received plans and applications determined by the Director of Economy and Growth under delegated powers during the period 13th July 2020 to 29th July 2020.

The Chair sought further detail on application reference DM/0087/20/FUL. Mr Limmer explained that the site had permission for biomass boilers in the building and the applicant hoped to upgrade these, which required an upgrade of the flues.

RESOLVED – That the report be noted.

P.21 PLANNING APPEALS

The committee received a report from the Director of Economy and Growth regarding outstanding planning appeals.

Ms Jarvis explained that since the agenda was published, appeal decisions were received for application references EN/0936/17 and DM/1019/19/FUL. The appeal for application references EN/0936/17 was dismissed and the appeal for application reference DM/1019/19/FUL was part dismissed with the dormer not being permitted and the roof light being allowed. She explained that the full detail of the appeals would be

included as part of the agenda for the next meeting of the Planning Committee.

RESOLVED – That the report be noted.

P.22 EXCLUSION OF PRESS AND PUBLIC

RESOLVED – That the press and public be excluded for the following business on the grounds that its discussion was likely to disclose exempt information within paragraph 6 of Schedule 12A of the Local Government Act 1972 (as amended).

P.23 ENFORCEMENT ISSUES

The committee discussed issues relating to enforcement and raised a number of matters for further investigation.

There being no further business, the Chair closed the meeting at 11.39 a.m.