



To be submitted to the Council at its meeting on 17<sup>th</sup> December, 2020

## **PLANNING COMMITTEE**

**7th October 2020  
9.30 a.m.**

### **Present:**

Councillor Harness (in the Chair)

Councillors Beasant, Goodwin, Hasthorpe, Hudson, James, Mickleburgh, Nichols, Parkinson (from P.37 – item 1), Pettigrew and Silvester.

### **Officers in attendance:**

- Martin Ambler (Civil Enforcement Officer)
- Lauren Birkwood (Senior Town Planner)
- Jonathan Cadd (Senior Town Planner)
- Matthew Chaplin (Public Rights of Way Mapping Officer (P.26))
- Rob Close (Scrutiny and Committee Support Officer)
- Martin Dixon (Planning Manager)
- Lara Hattle (Highway and Transport Planner)
- Keith Thompson (Specialist Lawyer Property)

### **P.33 APOLOGIES FOR ABSENCE**

There were no apologies for absence received for this meeting.

### **P.34 DECLARATIONS OF INTEREST**

Councillor Hasthorpe declared a personal interest in P.37 (items four and five), as he knew the applicants from Council and Mayoral functions.

### **P.35 FOOTPATH 72**

The committee received a verbal update on Public Footpath 72.

Mr Chaplin explained that the substation works were still intended to commence 10<sup>th</sup> November 2020 and the land was to be handed over 30<sup>th</sup> November 2020. Northern Power Grid hadn't yet responded to confirm

how many properties were expected to be affected by the power outages.

RESOLVED – That the update be noted.

### **P.36 REVIEWED AND UPDATED PLANNING ENFORCEMENT PLAN**

The committee considered the adoption of the reviewed and updated Planning Enforcement Plan.

Mr Ambler explained that the Planning Enforcement Plan helped to make the process of enforcement as open, fair, and transparent as possible. The plan regularly needed review to ensure that it was in accordance with the National Planning Policy Framework (NPPF). In addition to this review of the current Planning Enforcement Plan, Mr Ambler explained that there was also the introduction of a Heritage Enforcement Plan which tied into the Listed Buildings Prosecutions procedure.

RESOLVED – That the updated Planning Enforcement Plan be adopted as laid out within the report now submitted.

### **P.37 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 – 5) be dealt with as set out below and detailed in the attached appendix.

#### **Item Four – DM/0596/20/FUL - Waterside Cottage, 28 Phillips Lane, Laceby**

Ms Birkwood introduced the application and explained that it sought approval to make alterations and works to a Listed Building known as Waterside Cottage, 28 Phillips Lane in Laceby. This included exterior doors and windows, alterations to two first floor windows on the North elevation and two first floor windows on the South elevation, and installation of CCTV security cameras. The property was a listed building. She showed the committee plans and pictures of the site and explained that it came before them as it was submitted by a North East Lincolnshire Ward Councillor. It was noted that the applicant was also a Member of Parliament.

She explained that the site was located within the Laceby development boundary so was therefore acceptable in principle. The majority of the works would not be readily viewable from Phillips Lane as most of it would be to the rear in addition to a significant amount of landscaping surrounding the site. The window frames and doors would be replaced

on a like for like basis, including the material and colour. The applicant had confirmed that the first-floor windows had been installed incorrectly, therefore the new windows would be installed to the correct dimensions at a smaller height achieving an enhancement to the listed building. The Heritage Officer had reviewed the details and, subject to safeguarding conditions, considered this proposal acceptable. The alterations to the windows and doors were partly viewable by the neighbours and related to replacement and alterations. Therefore, there wasn't considered to be an adverse impact to neighbouring properties. Comments had been received from adjacent neighbours concerned with privacy issues from the CCTV cameras. Details of the CCTV had been presented to the Crime Reduction Officer, who recommended that they be installed by qualified technicians. The applicant confirmed this was how they were intended to be installed. Furthermore, it wasn't uncommon for residential properties to use CCTV cameras and the number of cameras was quite high to provide security for the applicant. Although the neighbours' comments were acknowledged, it would be unreasonable to object to this development. She confirmed it was recommended for approval.

Mr Townend was invited to address the committee in his capacity as the applicant for this proposal. The necessity for the development came after a parliamentary security audit identified issues with the windows and doors and recommended installation of CCTV to cover all entrance and exit points to the property. All windows and doors were not only being replaced like for like, but the original plans that were used for the existing windows and doors were being employed. The change to the height of the windows was the only real change. In addition, the front and back doors were to be painted black instead of the original green. There was a condition on the listing which stated black or heritage colours were acceptable. There were no neighbouring properties within five metres of any of the CCTV cameras. The cameras were to cover all entrances and exit points. Installation was to be done by Parliamentary Security. There was a plan showing the orientation of the cameras so neighbours could be assured no footage was being taken of their properties. Although he explained the cameras did capture common land and shared land.

Mr Close read out a statement submitted in objection by Ms Kelly, a neighbour of the property. She hoped the committee members would understand that she felt having a camera pointing towards her drive and onto her property was an extreme invasion of her privacy which, if installed, could have dire consequences for her family. She could not see the use of one there.

Councillor Mickleburgh moved that this application be approved.  
Councillor Hasthorpe seconded this motion.

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

(Note - the committee voted unanimously for the application to be approved.)

Councillor Harness left the meeting at this point and Councillor Pettigrew assumed the role of Chair.

#### COUNCILLOR PETTIGREW IN THE CHAIR

### **Item Five – DM/0396/20/LBC - Waterside Cottage, 28 Phillips Lane, Laceby**

Mr Dixon introduced the application and explained that it sought listed building consent for the replacement of exterior doors and windows. There were alterations to two first floor windows on the North elevation and two first floor windows on the South elevation. He showed the committee plans and pictures of the site and explained that it came before them as it was submitted by a North East Lincolnshire Ward Councillor. As discussed in the previous application, Mr Dixon explained that officers felt that the impact on the character of the listed building was protected. The application was therefore recommended for approval.

Councillor Hasthorpe moved that this application be approved. Councillor Mickleburgh seconded his motion.

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

(Note - the committee voted unanimously for the application to be approved.)

Councillor Parkinson joined the meeting at this point.

### **Item One – DM/0211/20/REM - Land at Station Road, Habrough**

Mr Cadd introduced the application and explained that it sought reserve matters approval following outline permission granted in 2017, with access to be considered, to erect 118 dwellings with appearance, landscaping, layout, and scale to be considered. He showed the committee plans and pictures of the site and explained that it came before them due to the level of objection received from neighbours and comments from Habrough Parish Council.

Councillor Harness re-joined the meeting at this point; however, Councillor Pettigrew continued the role of Chair for the remainder of this item.

The dwellings were to be a mix of residential houses and bungalows. The main access came from Station Road. Following concerns from residents, all properties which bound onto Kesteven Court would be bungalows with four larger units being dormer bungalows. The dormers in question would be street side only. There were to be no two-storey dwellings on that boundary. The site plans included large areas of open space which would not only act as amenity space but would offer

drainage compounds by controlling any surface water. This would be maintained on site but in extreme circumstances, though an attenuated and restricted flow, water would go into the ditch that ran along the northern boundary of the site. The scheme benefitted from a number of sustainable drainage features including swales, ponds of 1.2 metres deep, rain gardens and porous paving. The overall approach to the landscaping was considered acceptable in principle, although further discussions were required with the applicant on species. A comment was received concerning ecological enhancements, this had been addressed in condition four of the recommendations. A footpath was to be included along the northern boundary of the site. The hedgerow along the eastern side of the site was to be retained. The site benefitted from good natural surveillance of open areas and parking areas. The scheme had been considered carefully in terms of impact of crime. He reminded the committee that the access had already been approved at the outline stage of the application. He confirmed that this application was recommended for approval.

Mr Whall was invited to address the committee in his capacity as the applicant for the proposal. He explained that as applicants, they had been building affordable new homes for over 25 years and were an award winning and experienced new homes provider. They intended to employ local people for this development. He felt that Habrough was a nice rural village in close proximity to the Humber Estuary with expanding factories creating job opportunities and strong transport connections. The site also benefitted from good pedestrian and bridleway walks. He stressed the site was allocated for housing in the North East Lincolnshire Local Plan 2018 (NELLP 2018) and already had outline planning permission approved by another developer. The applicant then purchased the site and requested the reserved matters permission. He stressed that he had worked in detail with the officers and changed numerous details to reflect concerns from the public and Habrough Parish Council. He felt that the layout in its current form could become an award-winning site. The current ageing population created a demand for bungalows, which was offered by this site. 19 of the dwellings proposed were specified to over 55s. The significant increase of homes would help to keep young people in villages and address the issue of an ageing population. He noted that after residential properties were built, investment typically followed. This would bring services to the current villagers. He felt that this development would be a positive addition to the village. The Section 106 contributions would go towards affordable housing, education contributions and highways contributions.

Mr Cadd explained that the applicant and officers were working together to address the reduction of crime. Humberside Police would be consulted in this process.

Councillor Hasthorpe referred to the number of objections from current residents with regard to drainage. He sought further clarification of how rainwater and foul water would be addressed. In addition, Humberside Fire and Rescue commented in the report that the roads should provide

a maximum carrying capacity of 24 tonnes. Therefore, he asked why the site required a bin storage area, considering a refuse vehicle should be able to traverse the roads if they had a 24-tonne capacity. Whilst the site had green spaces, there was no indication of play equipment for children.

Mr Cadd stated that the applicant proposed to provide a number of key features within the site which would offer, not just overall water storage, but also the cleaning of water as it moved through the site. These included the swales, ponds, and rain gardens which would combine together to form a process which would, in part, store water but also slow water down so it naturally soaked away. In extreme events, the network would link together with the main drain to the north of the site and would release that water with a restrictive rate into the wider drainage network. As it was a green fields site, a significant amount of water would soak away naturally. The outline application indicated that these sorts of designs meant that there shouldn't be any greater run off into the actual drainage network and green field rates. Condition four of the outline permission required detailed designs. This meant that details would have to be submitted to the local authority before being discharged. He added that drainage officers supported the proposals. There was a condition in the outline application that required foul drainage to be agreed but Anglian Water indicated that the drainage network and the local Immingham Drainage Treatment Centre had capacity. Whilst there may be concerns, that statutory consultee indicated that there was no enhancements to capacity required. He stressed this was a reserve matters application and if the drainage impacts were an issue then it would have already been raised. The comments made by Humberside Fire and Rescue would be addressed through building regulations. Highways officers considered the scheme acceptable. The vast majority of the site would be adopted highway with bins being left on the highways in typical fashion, bin storage would only be used for the small number of properties with private drives as the refuse vehicles wouldn't be able to access. He confirmed that this application was being considered alongside a further application to modify the Section 106 agreement. Part of that was to consider whether the play equipment that was required on the site was most suitable located here. These negotiations were ongoing, but if they failed, condition 13 of the outline permission stated:

*13. No development shall take place until a detailed scheme for the provision, retention, and maintenance of open play space on site, including an area of equipped play area, has been submitted to and approved in writing by the Local Planning Authority. The play space shall then be implemented in accordance with the agreed programme and retained for the life of the development.*

He stressed that however the provision of play equipment ended up being agreed, there would be details of this.

Councillor Hasthorpe added that there appeared to be very little space allocated for recycling.

Councillor Parkinson considered the development reasonable. He referred to a site visit that was carried out before outline permission was granted, specifically to noise mitigation discussions to alleviate sound coming from the south east corner. He was disappointed in the traditional design of the buildings when compared to developments in other areas. He noted that the Carpinus hedging was rejected.

Councillor Harness referred to a supplementary letter that had been circulated to the committee prior to the meeting which requested more information on the ecology issues raised by Councillor Parkinson.

Councillor Hasthorpe felt that the proposal was acceptable as recommended and moved that it be approved.

Mr Cadd explained that the noise was considered acceptable when granting outline permission, although there were some concerns when the assessment was taken. In January 2020, the applicant undertook a further assessment which resulted in a number of mitigation measures on the northern and eastern side of the development. This would take the form of the use of triple glazed windows to the main houses and 2.7-metre-high acoustic fence to shield affected properties. This was considered acceptable by environmental health officers. The overall approach to the landscaping was considered acceptable by tree and woodlands officers, although, there were still discussions surrounding the species. He suggested that if approved, the committee may want to consider amending condition four of the recommendations to specify ecology being introduced to the site. The main hedge to the site to the eastern boundary would be retained. Officers felt that the design of the properties was good and in character of the area.

Councillor Hasthorpe modified his proposal to include an amendment to condition four of the recommendations as suggested by Mr Cadd. Councillor Mickleburgh seconded Councillor Hasthorpe's motion.

RESOLVED – That the application be approved with the attached and amended conditions, and, the signing of a section 106 legal agreement.

4. No development shall commence above damp course level (dpc) on any plot until a scheme based upon landscape design drawing no. HA/143/07/D showing:

(a) the details of the number, species, sizes, and planting positions of all trees and shrubs to be planted;

(b) a plan including details of all trees to be retained, any to be felled, hedgerows to be retained, any sections of hedgerow or trees to be removed;

(c) details of an ecological enhancement scheme and;

(d) measures for the protection of trees and hedges during construction work

5. The scheme of landscaping and tree planting to be approved by the Local Planning Authority under condition 4 shall be completed within a period of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season. The ecological enhancement scheme shall be implemented in accordance with the approved details and timings approved under condition 4 (c).

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

COUNCILLOR HARNESS IN THE CHAIR

## **Item Two – DM/0146/20/FUL - Courtyard View, Waltham Road, Brigsley**

Mr Dixon introduced the application and explained that it sought to vary conditions two (Approved Plans), three (Sustainable Drainage) and six (Obscure Glazing) as granted on DM/0401/18/FUL. The proposed changes were retrospective works and related to and included the demolition of a previous garage and the erection of a two storey annexe which also included alterations to the annexe in the form of the installation of solar panels, a rear enclosure to house heat pumps and the repositioning of the garage door. The changes to the original approval also include amendments to the windows and doors of the existing dwelling at the front, the erection of a front boundary wall and alterations to the side elevations of the property. He showed the committee plans and pictures of the site and explained that it came before them due to an objection from Brigsley Parish Council.

He explained that the changes to the rear of the property resulted primarily in the same footprint for the site so, therefore, officers didn't feel that it represented any material issue on neighbours. The original approval contained a condition relating to obscurely glazed windows on the side elevation of the two-storey annexe, however, the windows that were included were actually clear glass. Although, as the alterations were mainly at single storey level, a condition of the recommendations required obscure film to be applied to the current window. The heat pump had been considered by environmental health officers who had held site visits on both the site and neighbours' properties. An attenuation of that was proposed by a walling surrounding the heat pump. The principle of the application had already been established and was considered acceptable. The property had been improved and



enhanced through the works and followed the works that had been carried out before at the property; the design and character was therefore considered acceptable. This application followed the previously approved drainage scheme, there had been discussions with the drainage officer who was satisfied with the soakaway and scheme that had been introduced. Two objections were received from neighbours on the grounds of the obscure glazing and noise from heat pumps; officers felt this had been addressed. A condition was included that required the sound proofing to be implemented within three months of this decision. Although the agent for the scheme requested a six-month time scale for implementation, officers felt that the heat pump had been on the site for a while, and three months was reasonable enough time. He confirmed that the application was recommended for approval.

Councillor Hudson felt that three months was a totally reasonable amount of time to expect the installation of the noise mitigation measures. He was surprised that the applicants didn't obscure the windows as initially conditioned. He hoped the current recommendations for obscure film would be enforced. He considered the works an enhancement to the property. He moved that this application be approved.

Councillor Hasthorpe questioned why officers settled for the use of film to provide obscure glazing when they initially requested that the window use obscure glass.

Mr Dixon explained that films were used in some cases, and in this instance, was a reasonable compromise. Condition four of the recommendations required the obscure film to be retained.

Councillor Hasthorpe felt that he could support the proposal if the windows were conditioned to be an obscured double-glazed unit.

Councillor Hudson agreed with Councillor Hasthorpe's comment. Councillor Hasthorpe seconded Councillor Hudson's motion of approval.

Councillor Pettigrew assumed the role of Chair for the remainder of the meeting due to Councillor Harness' internet connectivity issues.

#### COUNCILLOR PETTIGREW IN THE CHAIR

Councillor Parkinson noted that if new hard standing was introduced, shouldn't it have been permeable considering the clay soil. He added that there was no level rise on the site contrary to the neighbours' comments. In addition, he queried if one soakaway would be sufficient for the whole site.

The Chair stated that the soakaways were worked out on the capacity of the roof and run off. He expected these to be designed in accordance with that; implementation would be a building control issue.

Mr Dixon explained that the land raising had been considered by officers who were satisfied that there had been no land raising to a degree that was material. The footprint was as approved before. Drainage officers were satisfied with the scheme as laid out.

Councillor Parkinson asked if heat pumps required planning permission. Mr Dixon explained that permission would be required dependent on the location and scale of the addition.

RESOLVED – That the application be approved with the attached and an amended condition:

4. The first-floor window in the annexe facing north shall be retained with obscure glass at a level of 3 or above as measured on the Pilkington scale for the lifetime of the development. Within 3 months of the date of decision the first floor window in the annexe facing south shall be replaced with obscure glass at a level of 3 or above as measured on the Pilkington scale in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The window shall be retained at the same level of obscurity for the lifetime of the development.

(Note - the committee voted unanimously for the application to be approved.)

### **Item Three – DM/1032/19/FUL - 45 The Avenue, Healing**

Mr Dixon introduced the application and explained that it sought approval for the demolition of an existing outbuilding and the erection of a single storey extension to the side and rear of an existing semi-detached residential property. He showed the committee plans and pictures of the site and explained that it came before the committee due to an objection from Healing Parish Council.

He explained that the principle of the development was considered acceptable. The height and scale of the garage had reduced through discussions with the applicant to make it more subservient to the main property. It would also have a slate roof and similar timber effect to match the existing dwelling. The garage would sit reasonably well set back. Officers felt that it would be seen as being auxiliary to the dwelling and wouldn't detract from the rest of the property. The impact to the character of the area was therefore considered acceptable. Although not in a conservation area, the property did have heritage value but the scheme as amended responded to this. It wasn't considered unreasonable to have an outbuilding on the site. There were also no windows proposed and the roof pitched away. There were therefore no concerns in terms of the impact to neighbours. Mr Dixon confirmed that this application was recommended for approval.

Councillor Hasthorpe felt that the applicant had engaged well with officers. He moved that this application be approved. Councillor Hudson seconded his proposal.

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

(Note - the committee voted unanimously for the application to be approved.)

**P.38 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 28<sup>th</sup> August 2020 to 24<sup>th</sup> September 2020.

Councillor Harness sought further clarification on applications references DM/1028/19/FUL, DM/1029/19/FUL, and DM/1030/19/FUL. Mr Dixon explained that use of 'micro pods' allowed older children in residential care to have more autonomy before becoming adults.

Councillor Harness referred to application reference DM/0490/20/FULA, asking if front wall heights at 1.74 metres were now considered acceptable. Mr Dixon explained that the wall was actually in the corner of the site down a private access drive so wasn't across the whole frontage.

RESOLVED – That the report be noted.

**P.39 PLANNING APPEALS**

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

Mr Dixon explained that applications references DM/0679/19/TPO, DM/0235/20/FULA, and DM/0454/20/ADV were still awaiting consideration from the Planning Inspectorate.

The appeal for application reference DM/0882/19/FULA was dismissed.

RESOLVED – That the report be noted.

**P.40 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.41 ENFORCEMENT ISSUES**

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

RESOLVED – That the information be noted, and further investigations be carried out as requested.

There being no further business, the Chair closed the meeting at 11.58 a.m.