

Cadney cum Howsham Parish Council (CCHPC)

Minutes of Extraordinary meeting of Cadney cum Howsham Parish Council on Friday 31st July 2026 at 7pm at Cadney Church hall

Minutes of the meeting recorded by Cllr Leahy

In attendance

Cllrs Heath, Mearns, James, Hart, Tennant, Leahy

Also in Attendance

Cllr Nigel Sherwood – North Lincolnshire Council (NLC) Ward Councillor

2026/048 Welcome by the Chair

Cllr Heath welcomed everyone

2026/049 Apologies for absence

Apologies were received from Kerry Hutchings – Clerk

2026/050 Declarations of Interest

- a) To record any Declarations of Interest by any members of the council in respect of the Agenda items listed below. Members declaring interests should identify the Agenda Item and type of interest being declared.

None received

- b) To note any dispensations given to any member of the council in respect of the Agenda Items listed below.

None requested

2026/051 PA/2026/31

To consider options available following the decision – PA/2026/31 – Application to determine if prior approval is required for a proposed change of use of two agricultural buildings to 10 dwelling houses (Use Class C3) – Former Pye House Farm, Gravel Pit Hill, Cadney, Brigg, DN20 9HR – has been considered and that permission for this development in accordance with the plans and written particulars submitted has been granted subject to conditions and **to resolve matters arising**

Cllr Heath explained that the purpose of meeting is to discuss PA/2026/31 as there has been questions and concerns raised by several parishioners as to why this planning has been approved. Particularly when a similar application was made in the Parish and refused. PA/2026/31 was not included in the July Cadney cum Howsham Parish Council meeting agenda and therefore could not be discussed. The meeting is to try and understand why this decision has been made and what, if any options there are going forward.

Cllrs reviewed the following documents:

- NLC Decision notice (26-06-26)
- NLC Delegated Assessment PA/2026/31 (26-06-26)
- Class Q of Part 3 of schedule 2 of The Town and Country Planning (General Permitted Development (England) Order 2015– buildings on agricultural units and former agricultural buildings to dwellinghouse
- Email 2026-07-24 from Clerk to Cllrs – email from Cllr Waltham to Clerk@CadneycumHowsham dated 2026-01-31 (but not shared with CCHPC until 2026.07.03)
- Email 2026-07-28 from Clerk to Cllrs - explanation email from Andrew Law, Development Management Specialist, NLC
- Email 2026-07-28 from Clerk to Cllrs containing information from ERNLLCA re Judicial Review

Cllr Heath acknowledged how helpful the email from Andrew Law is in terms of explanation.

Cllr Heath summarised. Nothing stands out as being obviously wrong with the officer's assessment, assuming that they have not got anything factually wrong. The officer has assessed against the various impact matters as required by the legislation.

The Cllrs discussed a number of questions that CCHPC could ask NLC's monitoring officer or legal department for clarification. Understanding these points would help Cllrs to answer questions from Parishioners and manage expectations around applications. It would also support understanding of the Parish Council's role in responding to applications.

1. The NLC Constitution's scheme of delegation is not clear whether it includes all types of planning applications, including applications to determine if prior approval is required for a proposed change of use/permitted development.
2. There are some conflicting statements in the Delegated Assessment.
 - a) Highways advise that: 'It would have been beneficial if some visitor parking could have been provided given the number of units'
The Planning Officer's Assessment states that: ' There is adequate resident and visitor parking provision on the site' These comments appear contradictory.
 - b) Highways state that: 'there are no facilities within the village and limited access to public transport services.'

The Planning Officer's assessment states that 'the site lies within an established rural settlement and benefits from access to local amenities'

These comments appear contradictory.

3. Provide the definition of 'Conversion' used.
4. The two emails of explanation for why the application did not go to Planning Committee received by CCHPC from NLC seem to contradict each other. Please clarify:

Email dated 2026-01-26 states 'In this situation the application can't be called in as it is an application for a Prior Approval with the application being just to determine whether the proposed usage is permitted or not within the permitted development regime rather than a planning permission application.'

Email dated 2026-07-28 states 'As a result of the statutory deadline for determination and the timing of Planning Committee meetings, it was not possible to report the application to Committee without risking the expiry of the determination period, which would have resulted in a default approval of the application with no conditions other than those prescribed within the legislation itself. Therefore, the application was determined under delegated authority.'

5. In this case were any extensions given?
6. When is it relevant to refer to the Planning Committee?
7. How frequently does the Planning Committee sit?
8. Could this application have gone to Planning Committee if an extension had been sought? If so, why was an extension not sought in this case?
9. How do NLC ensure that compliance with conditions are enforced.

Letter with questions above to be sent to NLC Monitoring Officer

Proposed – Cllr Heath

Seconder – Cllr Leahy

Agreed – All Councillors present

Discussed the option of a judicial review which would check that procedures were followed correctly. Cllrs considered that if a judicial review was positive, that the application could be resubmitted and still be approved through the correct process. The cost of a judicial review is significant – ERNLLCA estimate £8-20k, Cllr Heath estimated up to £100k with Barrister fees. The timeframe to submit for a judicial review is 6 weeks from planning approval, in this case there would be 7 days to submit, which would be unachievable.

Cllr Heath stated that on balance a judicial review is not a viable option.

Proposed – Cllr Heath

Seconder – Cllr Leahy

Agreed – All Councillors present

There being no further business the meeting ended at XXXXpm